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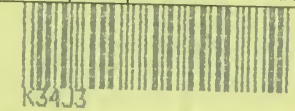

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DEPARTMENT OF THE INTERIOR :: BUREAU OF EDUCATION

ON THE TRAINING OF PERSONS TO TEACH AGRICULTURE IN THE PUBLIC SCHOOLS

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WASHINGTON
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LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
WASHINGTON, D. C., *February 13, 1908.*

SIR: I have the honor to transmit herewith a manuscript entitled "On the Training of Persons to Teach Agriculture in the Public Schools," and to recommend its publication as the first number of the bulletin of the Bureau of Education for the year 1908.

By the so-called Nelson amendment to the agricultural appropriation bill for the year 1908 the sum of $5,000 was added to the appropriation to each of the States for the better endowment and support of the agricultural and mechanical colleges which had been previously endowed and aided under the two Morrill acts, of July 2, 1862, and August 30, 1890; and it was provided that this addition should be increased by the sum of $5,000 annually till it should reach the annual amount of $25,000. When this maximum is reached, at the end of a five-year period, each State will receive annually, including the $25,000 previously granted under the second Morrill Act, a total of $50,000 for agricultural and mechanical college purposes.

With these liberal endowments and the still larger amounts appropriated by the State governments the "land-grant colleges" have been able to give a great impetus to agricultural education. They have helped to form the rising demand for a wide extension of such education in high schools, normal schools, and schools of elementary grade.

As was pointed out in the report of the Commissioner of Education for the year 1906, there is grave danger that the demand for the teaching of agricultural subjects shall far outrun the supply of properly qualified teachers. Such a mischance might result in a serious setback to a great educational movement—one of the most promising educational movements, in fact, of the present generation. It is accordingly significant that the Nelson amendment contained the following provision: "That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts."

The Bureau of Education bears some responsibility in this matter, since the Department of the Interior is charged with the distribu-

tion of the annual appropriations under both the second Morrill Act and the Nelson amendment, and this Bureau is the agency through which that function is discharged. With a view to rendering some assistance in the shaping of plans for such training of teachers as may be undertaken by the colleges with the aid of these new funds, I have asked Prof. Liberty Hyde Bailey, director of the New York State College of Agriculture at Cornell University, to prepare the bulletin which is presented herewith. Professor Bailey is among the foremost of those who are making the new movements in agricultural education, and his suggestions will have value and interest, not only for the authorities controlling the agricultural and mechanical colleges, but also for all who are interested in these new educational undertakings.

Very respectfully, ELMER ELLSWORTH BROWN,
Commissioner.

The SECRETARY OF THE INTERIOR.

INTRODUCTORY NOTE.

The most significant contemporaneous movement in education is the effort to adapt the work of schools directly to the lives of the pupils. It is the expression of the effort to make the school training applicable. The normal activities of the child are to be directed and trained in such a way that real education will result therefrom. Education will grow out of the child's experience, rather than be imposed on him.

If this is to be the motive of popular education, then agricultural and industrial subjects will be made more and more a means of school work. It is therefore a question of the first importance how to organize these subjects into an educational harmony. The agricultural subjects are specially difficult of organization, because they are so many and so diverse and so unlike in different regions. The character and success of the teaching of these subjects lie immediately with the teacher; there have been no institutions consciously to train teachers for such work; therefore it is not strange that many educators should consider the training of persons to teach agricultural subjects to be the most important educational question now before us.

ON THE TRAINING OF PERSONS TO TEACH AGRICULTURE IN THE PUBLIC SCHOOLS.

PART I.—THE NATURE OF THE PROBLEM.

It is first necessary to understand that the training of teachers for the teaching of agriculture in the public schools is not a simple or a single question. The training of teachers for the group of subjects embraced under the term "agriculture" can not be isolated from other training. It is not alone a question of giving the teachers the necessary technical knowledge and skill in agricultural subjects, but also of providing training and experience in methods of teaching, and in developing a point of view and a right estimate of education in general. There is great danger in the technical teaching of agriculture, even though it be well taught, if the teacher is not also well grounded in the social and pedagogical principles and problems involved in all education; and any such irrelevant or unrelated teaching will in the end react disastrously on the very movement that it is intended to promote.

The subject before us is not single in respect to the kinds or grades of schools that are involved in the discussion, the constitution or body of the subject-matter itself, or the nature of the sentiment that lies behind the movement for agriculture in the schools.

In the training of teachers it is necessary at once to know the kind of teaching that the prospective teachers are expected to undertake. With the widespread and unorganized interest in agricultural education it is impossible to make any definite classification, but we may roughly throw the schools in which the teaching of the subject is in question into three groups—the elementary schools, the high schools, and various kinds of special schools.

(1).—ELEMENTARY SCHOOLS.

We first consider elementary teaching of all kinds, meaning, in general, such range of work as is comprised in the first eight grades of a graded school system, or work in ungraded schools that is not more advanced than this. In this group the difficulties are the greatest. The group includes most of the so-called rural schools, the greater part of which are not graded to any extent, in some regions not at all.

These rural schools are most closely in contact with real agricultural needs, and it is in them that many persons seem to expect the quickest and best results from the teaching of agriculture; yet they are beset with very special difficulties, and we shall need to discuss them at some length. We may take this opportunity, also, to discuss some of the principles involved in rural school education.

The first thing that needs to be done with the rural elementary schools—the so-called district schools—is to redirect them and vitalize them, rather than merely to introduce agriculture as such. It is not unlikely, however, that this very agitation for the teaching of agriculture is to be the means of starting the reorganization. The demand for the introduction of agriculture is in reality the concrete expression of a desire to make the schools mean something real and tangible to the pupil, to relate them to his life and environment. The effort to accomplish this has recurred strongly at different epochs for at least one hundred years. Recorded discussions of fifty and seventy-five years ago read much like those of to-day. It is probable, however, that we have now arrived at a time when the agitation will produce concrete organizational results. Education by means of agriculture is but a phase of industrial education.

The special difficulties or handicaps of the rural elementary schools are such as these: Teaching in them is not recognized as a profession, but is undertaken as a preparation for other teaching or as a means of temporary employment, and the qualifications are low; teachers' pay is small; tenure of teaching is short, so that there is lack of continuity of effort; one teacher must handle all subjects in most cases; the school year is usually short; attendance is small and irregular; equipment, even in land, is practically nothing; the constituency is conservative and often even uninterested; supervision is slight, and usually not of a constructive or progressive nature. The whole scale of maintenance and organization is low.

In spite of all these disadvantages, however, the rural elementary school has useful characteristics that must not be overlooked, and that should not be lost. Some persons look for the practical abolition of this type of school, usually planning for it an evolution into a system of consolidated centers after the manner of city-school consolidation. It is a question, however, whether we are not likely to place relatively too much emphasis on the establishing of new institutions, whereas the greatest effectiveness and even the quickest results may probably be attained by utilizing agencies already in existence. It is easy, for example, to ridicule the country school, and then to plead for new isolated schools in which to teach agriculture; but in so doing we may forget that isolated special schools can not serve all the people, and that they also tend to isolate the subject. The present rural schools, with all their shortcomings, are good schools because

(1) they are already in existence; (2) they are the schools of all the people; (3) they are small, and thereby likely to be native and simple; (4) they are many, and therefore close to the actual conditions of the people. We should utilize them to the fullest by improving and redirecting them; and in the end these schools, when redirected, will present the fundamental solution of the problem of rural education. In the discussion of this question, we must not make the mistake of thinking of the welfare of the school alone. The open country needs more local centers of life and influence rather than fewer. It is a debatable question whether the best social life is to be secured by any general consolidation of schools that will make large and far-apart units.

The arguments in favor of consolidation are many and important. By consolidation, stronger teaching units are secured; more money is available for the employing of teachers and the providing of equipment; special subjects can be given adequate attention. The objections are many, but most of those commonly urged are trivial and temporary. The greatest difficulty in bringing about the consolidation of schools is a deep-seated prejudice against giving up the old schools. This prejudice is usually not expressed in words. Often it is really unconscious to the person himself. Yet right here may lie a fundamental and valid reason against the uniform consolidation of rural schools—a feeling that when the school leaves the locality something vital has gone out of the neighborhood. Local pride has been offended. Initiative has been removed one step further away. The locality has lost something. It is a question, even, whether the annual school meeting is to be lightly surrendered, whether it is not worth keeping as an arena for the clearing of local differences, and as a possible nucleus of a useful institution. By every legitimate means we should develop and fix local attachments. We have almost come to be a nation of wanderers and shifters. We are in danger of losing some of our affection for particular pieces of land. Farming is a local business. It develops into great effectiveness only when local feeling is strong. The State also needs the conservatism and steadiness born of this local interest.

Much of the impulse for the consolidation of schools, as already intimated, is a reflection of the centralized city graded school; but it is by no means certain that such institutions are to be the most important or dominating schools of the future. The small rural school, with its weaknesses, has the tremendous advantage of directness and simplicity. It is doubtful whether it would be improved by a rigid system of grading. It is a question, in fact, whether the graded schools do not still carry the onus of proving themselves. Unquestionably consolidation of rural schools is often advantageous, and is to be advised whenever it seems to be necessary for pedagogical

reasons. In some regions it may be a necessity. It is often urged for financial reasons; but this in the long run is not reason enough. We maintain our canals and Government work at public expense. The State must cooperate in the maintenance of its detached schools, by direct appropriations, if necessary, to their localities, always on the condition, however, that all effective control does not pass out of the community. Consolidation of schools is much more than a school question. It touches the very quick of local pride and progress.

There is every reason to expect that consolidation of rural schools will proceed, and with benefit. The point is that it should come naturally and that it should not necessarily be expected to operate advantageously everywhere. It should come as a result of conditions, and should not be forced independently of conditions. It will undoubtedly be found that some districts will be better off without consolidated schools. There is no reason in the nature of education why both separate and consolidated schools may not each render service that the other can not render. It will be unfortunate if the question of consolidation of schools falls into the hands of advocates or partisans. The social welfare of the community, as well as the school work, must be considered in every case.

The rural elementary school will be redirected by making it a natural expression of the community of which it is or ought to be a part. Education should develop out of daily experience. It is not necessary to have an entirely new curriculum in order to redirect the rural school. If geography is taught, let it be taught in terms of the environment. Geography deals with the surface of the earth. It may well concern itself at first with the school grounds, the highways, the fields and what grows in them, the forests, hills, and streams, the hamlet, the people and their affairs. As the pupil grows, he is introduced to the world activities. Similar remarks may be made for arithmetic, reading, and all the other customary work of the school. This is much more than what is now meant by "correlation." The problem of the rural school is not so much one of subjects as of methods of teaching. The best part of any school is its spirit; a school can be conceived in which no agriculture is taught separately, which may still present the subject vitally from day to day by means of the customary studies and exercises. The agricultural colleges, for example, have all along made the mistake of trying to make farmers of their students by compelling them to take certain "practical" courses, forgetting that the spirit and method of the institution are what make the work vital and what send the youth back to the land. The whole enterprise of elementary schooling needs to be developed natively and from a new point of view; for in an agricultural country agriculture should be as much a part of the school as oxygen is a part of the air. We should not isolate

agriculture from the environment of life in order to teach it; we should teach the entire environment.

If the foregoing points are well taken, we then see that the problem of training teachers to teach agriculture in elementary schools is much more than providing them with an equipment of agricultural subject-matter. Here and there the special teacher of agriculture will be needed in elementary work, as in certain consolidated rural schools, and in well-graded city or village schools. Now and then teachers will be needed to supervise the work in agriculture in several related schools; but experience will probably demonstrate that in most cases this will be only a temporary means of handling the subject, in order to organize it and to start it.

It is not alone a new kind of teacher that the rural elementary school needs, and no rural school constituency should be allowed to feel that emphasis should be put on teachers alone. In fact, the kind of teacher is usually an expression and result of the type of effort that exists in the district. The school is worth no more than the district pays for it. The same is true of a horse or a plow or a farm. The rural school premises are often unattractive or even repulsive. No work with spirit in it is likely to be accomplished under such conditions. Moreover, there is no equipment in most of these schools; and teaching can not, any more than farming, be well accomplished without facilities and appliances.

The school building is first to be considered. From Maine to Minnesota one will see in the open country practically one kind of schoolhouse, and this the kind in which our fathers went to school. There is nothing about it to suggest the activities of the community or to attract children. Standing in an agricultural country, it is scant of land and bare of trees. If a room or wing were added to every rural schoolhouse to which children could take their collections or in which they could do work with their hands, it would start a revolution in the ideals of country-school teaching, even with our present schoolteachers. Such a room would challenge every person in the community. They would want to know what relation hand training and nature study and similar activities bear to teaching. Such a room would ask a hundred questions every day. The teacher could not refuse to try to answer them. A room of this kind, containing perhaps a plow and a few agricultural implements, would itself constitute one of the means of training teachers.

Eventually, the entire school will partake of the informal character that is suggested by the single workroom. The pupil will be allowed to express himself; and it will be the part of the teacher to direct and shape this expression to the best educational ends. Unless the elementary-school teacher has some such outlook as this, his teaching of agriculture is likely to impose another task on the child.

We may next consider the equipment of land. A good part of all our laboratories should be out of doors. In the argument for separated rural schools, one is struck with the plea that good laboratories may be secured. A good part of this argument comes from college men. It does not at all follow that our four-wall laboratory methods are as useful for the elementary schools as for colleges and high schools. In fact, it is a question whether much of our college laboratory work is really worth the while as compared with good natural field work under the conditions that are everywhere at hand. The school land may be used for plantations of trees and shrubs, for school gardens, for experimental plats, and utilized as an arena of the natural wild life of the neighborhood. Equipment of land should go far toward developing a really effective nature teaching, redirecting some of our present laboratory methods. Laboratory teaching may be pedagogically just as incorrect as book teaching. If the school is fairly well equipped outside and inside, a good part of the difficulty of securing teachers will subside; for the good places naturally attract the good teachers.

It is well to consider briefly what may be taught in the elementary school, whether a town school or a country ungraded school. In some cases separate classes in agriculture may be organized, but in most cases the work for the present must be incidental to other teaching. In any event, the content of the agricultural work must be carefully considered, for this will have direct relation to the training of the teacher. The main effort of primary and elementary teaching, so far as the agricultural phase is concerned, should be to put the pupil in touch with himself and his environment. Before the sixth grade, or its equivalent, there should probably be no agriculture as such. Generalized nature study should here control the work. This will underlie and prepare for all future work. It will be a mistake to try to force formal technical agricultural work in any grade below the high school.

Every teacher should understand that the term "nature study" is a misnomer. It does not stand for a "study." It is not a subject. It is not a "method," as this term is understood by teachers. It is an attitude, a purpose, a point of view, a mode of education. It is spirit. It is a fundamental educational intention, inasmuch as nature is the condition of our existence and as it is our duty to live in effective harmony with our conditions. Its underlying principle is one—to teach the things that are near at hand and that are naturally a part of the child's environment and activities, and to teach these things for the sake of the child, rather than to promulgate a subject. It will be seen, therefore, that no good subsequent teaching of agriculture is possible without the nature-study training.

The nature-study process and point of view should be a part of the work of all schools, because schools train persons to live. Particularly should it be a part of rural schools, because the nature environment is the controlling condition for all persons who live on the land. There is no effective living in the open country unless the mind is sensitive to the objects and phenomena of the open country; and no thoroughly good farming is possible without this same knowledge and outlook. Good farmers are good naturalists. It would be incorrect to begin first with the specific agricultural phases of the environment, for the agricultural phase (as any other special phase) needs a foundation and a base; it is only one part of a point of view. Moreover, to begin with a discussion of the so-called "useful" or "practical" objects, as many advise, would be to teach falsely, for, as these objects are only part of the environment, to single them out and neglect the other subjects would result in a partial and untrue outlook to nature; in fact, it is just this partial and prejudiced outlook that we need to correct.

We must have it in mind that the common elementary schools do not teach trades and professions. We do not approach the subject primarily from an occupational point of view, but from the educational and spiritual; that is, the man should know his work and his environment. The mere giving of information about agricultural objects and practices can have very little good result with children. The spirit is worth more than the letter. Some of the hard and dry tracts on farming would only add one more task to the teacher and the pupil if they were introduced into the school, making the new subject in time as distasteful as physiology and grammar often are. In this new agricultural work we need to be exceedingly careful that we do not go too far, and that we do not lose our sense of relationships and values. Introducing the word agriculture into the scheme of studies means very little; what is taught, and particularly how it is taught, are of the greatest moment. It is to be hoped that no country-life teaching will be so narrow as to put only technical farm subjects before the pupil.

We need also to be careful not to introduce subjects merely because practical grown-up farmers think that the subjects are useful and therefore should be taught. Farming is one thing and teaching is another. What appeals to the man may not appeal to the child. What is most useful to the man may or may not be most useful in training the mind of a pupil in school. The teacher, as well as the farmer, must always be consulted in respect both to the content and the method of agricultural teaching. We must always be alert to see that the work has living interest to the pupil rather than to grown ups, and to be on guard that it does not become lifeless.

Probably the greatest mistake that any teacher makes is in supposing that what is interesting to him is therefore interesting to his pupils.

In a rural community all the surroundings and customary activities should find expression in the school, as a means of putting the pupil into touch and sympathy with his environment: (1) The natural objects in the region and the character of the country; (2) the means by which people in the community live; (3) the household, or domestic affairs; (4) civic affairs, or the way in which human activities are organized and governed. All this is nature study in its best and broadest sense. These subjects may be taught in separate periods or classes; but the fundamental means is a complete redirection of the school activities so that vital and experience work will be a very part of the school life and dominate it. This redirecting of school-teaching, in both country and city, is taking place at the present time, although silently and unobtrusively.

As the child matures, nature-study work may become more concrete. In grades 6 to 8, it may be nature-study agriculture, perhaps following the suggested outline of the Report of the Committee on Industrial Education in Schools for Rural Communities to the National Council of Education, July, 1905 (pp. 44–45):

> After the explicit nature study ceases with the fifth grade, the pupil in the rural school may then be taken through the elements of agriculture in the sixth, seventh, and eighth grades. The work in these three grades should really be nature study, but agricultural subjects are the means. Some will prefer to call it nature study rather than agriculture. Its purpose is not so much to teach definite science as to bring the pupil into relation with the objects and affairs that are concerned with the agriculture of his region. When the pupil has completed his nature study in the fifth grade, he should have a good knowledge of the physiography of his region, and of the common animals and plants. He will then be able to carry his inquiries into the more specific field of the agricultural practice and operations. When he has completed his eighth year, he should have a well-developed sympathy with agricultural affairs and he should have a broad, general view of them. Entering the high school, he will then be able to take up some of the subjects in their distinctly scientific phases.

The general plan recommended by the committee is as follows: Sixth year, first half, the affairs of agriculture; second half, the soil; seventh year, farming schemes and crops; eighth year, animals.

> If the agricultural work in the grammar grades is to be of the nature-study kind and not of the science kind, it can then cover a somewhat wide range. In these grades, the pupil should not be put into "agronomy," "economics," and other technical subjects, but he should be brought into relation with his agricultural environment.

A statement is now given of what is actually accomplished in a one-teacher district school in New York, where special classes can not be organized. The teacher has been successful in interesting his pupils in various experiments and tests that have relation to farming. He gives all the pupils nature-study work, including the younger ones. Suggestions are had from books, from the State syl-

labus, and perhaps quite as frequently from something that happens for the time to be interesting the school or the community. He is introducing practical local problems into the arithmetic work. He suggests that if ten or twenty-five schools could work together in harmony in arithmetic, geography, and other subjects, thereby making it worth while for examination questions to be asked on these new lines of work, the results would be very marked. Some of the problems that have been more or less used are as follows (as expressed by the teacher himself, Mr. H. H. Lyon):

Air:

Test for moisture.
Test for carbonic acid gas. (Limewater, etc.)
Tests for ammonia. (In schoolroom and in cow stables.)

Seeds:

Germination. (Find per cent, etc.)
Manner of growth. (Monocotyledons, dicotyledons.)

Plants:

Water taken from soil. (Use scales.)
Transpiration. (Collect H_2O.)
Examination of nodules on leguminous plants.
Effect of nodules on luxuriance of growth.

Soils:

Search for water-table—different places and times.
Test with litmus paper.
Effect of lime or ashes on clay soil.
Effect of lime on clear and on muddy water.
Correct acidity with lime or ashes. (Result observed in growth of clover.)
Capillarity under different conditions.

Milk:

Babcock test.
Drill in making measurements, reading bottles, computations.
Test acid with acidometer.
Acid test.
Correct measurements, computations of acid.
Milk at different ages.
Under different conditions of cleanliness and temperature.
Bottle and cork tight; keep warm; observe odor; use different samples to compare.

Water:

Test for organic matter.
Bottle with a little sugar; keep warm; observe color, etc.
Use potassium permanganate.

Osmosis:

Using egg.
Using bladder.

Fungicides:

Formaldehyde for oats smut.
Hot water for oats smut.
Bordeaux for potato blight. (Use ferrocyanide test.)
Computations in each case.

Chemical action:

Caustic soda solution plus muriatic acid.

Evaporate; find the salt.

(Can teach chemical formula of this even at 10 or 12 years.)

Commercial fertilizers:

Handling and mixing—Nitrate of soda, muriate of potash, and dissolved rock. (Computations.)

Cows:

Dairy type. (Examine form, milk veins, hide, etc.)

Beef type.

Weather map:

Receive daily maps and determine location of storm center.

Physical experiments of various kinds taken from books on physics. Make suction pump with lamp chimney, etc.

Garden:

A grass plot has been substituted for the school garden, where farm grasses, fertilizers, and seeding may be studied.

It will be seen from a careful consideration of the foregoing discussions that much very good agricultural work can be introduced into the ordinary elementary school that is teaching the usual State syllabus. It can be taught as a part of geography and arithmetic and manual training and reading, as well as in the regular nature-study intervals; and it is not difficult to send a pupil home with a desire to attack some of the problems at the house, on the farm, and in the garden. The Report of the Committee on Industrial Education in Schools for Rural Communities denies the charge that the poor teaching in the common branches is attributable to lack of time, for the poor results are "not due to lack of time on the part of pupils so much as to poor teaching and lack of proper organization;" and also asserts that the poor results attributed to the overcrowding of the course of study are "not due to the number of subjects, but to the attempt to teach too many things in these subjects which are not worth teaching."

(2).—HIGH SCHOOLS.

The question of the teaching of agriculture in the high school is much simpler than the problem in the elementary school. The pupil now arrives at an age when he may begin in some slight degree to choose and to specialize. The school is organized and supervised. Teachers are provided for special subjects. Apparatus is more likely to be supplied.

On the other hand, the high school is more rigid and crystallized. It is usually in town and has no immediate contact with land. It is further removed from direct agricultural influence.

The content of agricultural work in the high school is not yet determined with any definiteness, although very explicit courses of study have been recommended and even adopted. It will require

some years to work the enterprise out satisfactorily. Yet the teacher who is preparing for high-school work in agriculture has a fairly definite and limited field, and can prepare himself concretely. The field is essentially a natural-science field. The high-school teacher of agriculture should be as well grounded in the science and practice of his subject as the teacher of physics or chemistry or botany is in his field. He should, in fact, have a deeper and broader training, since he must use physics, chemistry, botany, and the like, in his special agricultural work. For many years to come the natural-science teacher will probably be obliged to handle the agricultural work in many high schools that introduce the subject.

The teaching of physics, chemistry, and the other natural sciences would probably better be separate from the teaching of agriculture, as schools are now organized, and constitute a science foundation for the agriculture. The alternative is stated as follows by the Committee on Industrial Education in Schools for Rural Communities (p. 45):

> If the high school has no adequate course in biology, then the student can be given a good drill in botany and zoology with particular reference to its agricultural relation, and this might be called "agriculture;" but it would be better if the student could have his fundamental training in biology in the first year of his high school and let him take his agricultural science thereafter. The agricultural work in the high school should have a distinctly scientific value. It should be such as would count toward science entrance requirements in case the student should desire to enter an agricultural college.

The point is that the natural sciences are essential; whether they shall be taught as a part of the agriculture or developed in the school preceding the agriculture, is at present a local or special question. We may hope that eventually the teaching of the natural sciences may be so vital and applicable that these sciences may constitute a part of a real course in agriculture.

One of the most hopeful recent movements for secondary agriculture teaching is the introduction of unit courses in biology, whereby an effort is to be made to give the high school pupil a real conception of the processes of life, rather than a fragmentary view of parts of the subject here and there. Everything will depend on whether this teaching can escape from the text-book drudgery and the old four-wall laboratory method. Agricultural subjects are alive and they are out of doors; it is for this reason that many persons are looking to the introduction of these subjects to be a quickening agency in the schools.

Having had biology and some of the elements of physics and chemistry, the pupil then comes to his agriculture; and the teacher wants to know what this agriculture is to be. No one is prepared yet to say just what it shall be. Some of the schemes that have been prepared are so extended and so minutely divided that no teacher can hope to

cover them except by the text-book and recitation method. They seem to be conceived on the type of the present formal text and laboratory work in natural science. It has been the habit to say that the nature-study point of view is advantageous chiefly in the elementary schools, but it is equally needed in the high schools and even in the colleges.

Whether taught formally or informally, the work that the teacher must be prepared on embraces the actual problems of agriculture: The structure and composition of soils and their reactions to natural agencies, the operations of tillage, the reasons and practices underlying the growth and the improvement of plants, the raising and handling of crops, the rearing and improvement of animals, the care and feeding of animals, the marketing of crop and animal products, the diseases, pests, and handicaps of crop growing and stock growing, the use of farm machinery, the making and keeping of the home, the economic and social phases of the farmer's business and life.

Within this range is more subject-matter than any school can cover; but the teacher must know the field in its educational applications, and be able to segregate from it such parts as will make a useful course for any given place or given length of time. Two modes are open to the teacher in organizing such work: (1) To work on problems, choosing those that are applicable in the community, as the growing of corn or cotton, the making of butter, the raising of hay, the growing of fruit; or (2) to endeavor to develop in the pupil a comprehensive view of the practice of agriculture in general, in much the same way as one endeavors to develop the body of a science. In either case the teacher will require the same fundamental training in the real facts and in educational processes.

The teacher in the high school, as in the elementary school, must nowadays be equipped in school gardening. A laboratory of living things is a necessary part of the best work in nature-study agriculture. It is customary to call this laboratory a school garden. We need to distinguish three types of school garden: (1) The ornamented or planted grounds; this should be a part of every school enterprise, for the premises should be attractive to pupils and they should stand as an example in the community. (2) The formal plat garden, in which a variety of plants is grown and the pupils are taught the usual handicraft; this is the prevailing kind of school gardening. (3) The problem garden, in which certain specific questions are to be studied, in much the spirit that problems are studied in the indoor laboratories; these are little known at present, but their number will increase as school work develops in efficiency; in rural districts, for example, such direct problems as the rust of beans, the blight of potatoes, the testing of varieties of oats, the study of species of grasses, the observation of effect of fertilizers, may well be under-

taken when conditions are favorable, and it will matter very little whether the area has the ordinary "garden" appearance. In time ample grounds will be as much a part of a school as the buildings or seats now are. Some of the school-gardening work may be done at the homes of the pupils, and in many cases this is the only kind that is now possible; but the farther removed the laboratory, the less direct the teaching.

(3).—SPECIAL SCHOOLS.

There are two current theories as to the best means of developing popular agriculture education: (1) By adding it in existing public schools or evolving it out of their present work; (2) by establishing special schools in which industrial, domestic, and agricultural subjects shall predominate. The latter means is now gaining rapid currency. It assumes several forms, namely, a county school system, as in Wisconsin; a Congressional district system, as typically represented in Alabama and Georgia; an adjunct to existing colleges or universities, as is now beginning in New York; a development of such schools in special localities here and there. The county or centralized high school in new regions that are dominated by agricultural interests becomes strongly industrial and agricultural, and the same will probably be true of new consolidated schools. In Minnesota an agricultural high school has been established in connection with the State University. All these schools are supported by public funds. Aside from these classes, there are various kinds of agricultural schools on private and denominational foundations.

These various kinds of schools do not belong to one educational class, but they are thrown together here because they are not a part of the regular public school system. So far as the preparing teacher is concerned, however, they are homogeneous in the sense of requiring a special training for special work, rather than a generalized training. In the higher and more specialized examples the work is carefully differentiated, so that some one phase of agriculture is given exclusively to one teacher.

There is every prospect that these special agricultural schools will increase in number in the next ten years, and they open the most attractive present field for those who would teach agriculture of a secondary public school grade. In fact, it is chiefly the demand created by these special isolated schools that has demonstrated the great lack of teachers for good agricultural work.

It may be well to raise the question with the prospective teacher, however, whether these disconnected schools are always to hold undisputed leadership, for thereby we shall be able to emphasize a very important pedagogical principle—the principle that agriculture edu-

cation should not of right be separated from all other educational effort. Education by means of agriculture is but a phase of education in general. The great effect of these special schools will be their influence in breaking down old prejudices, in setting new and independent standards of education, in arousing enthusiasm, in developing ways and methods of teaching the common affairs of life. They will react powerfully on the general public school system if their work is not too much insulated by mere technical teaching, perhaps contributing the most productive single influence in the much needed reform and reorganization of all the schools that represent rural communities. There is danger that in the isolation of these institutions we may also isolate the educational programme, and it is the duty of the teacher to see that this does not occur. The final solution is not the organization of special detached schools, but the redirecting of the existing public schools in such a way that they shall teach the members of their communities how to live.

PART II.—THE MEANS OF TRAINING THE TEACHERS.

Having now examined the nature of the demand for teachers of agriculture and the grades of teaching that are required, we may attack the question of determining where these teachers shall be trained. Where and how a teacher shall be prepared will depend, of course, on the phase or range of agriculture teaching in which he is to engage.

The degree of a teacher's preparation will be conditioned by the pay he is to receive. The general elementary schools, and most of the high schools, do not pay sufficient salaries to warrant a teacher in spending much time and money in perfecting his equipment in both agriculture and education. Good agricultural college training is practically out of the question for these fields at present, because graduates from such colleges of good abilities command better salaries elsewhere.

The schools will not command good teachers in these new subjects until they are able to supply fairly good equipment in the way of land, material, and apparatus. Very few schools are yet ready for good teachers of agriculture, wholly aside from the question of salary. No really good agricultural work can be accomplished by the customary schoolroom method.

The demand for teachers will arise here and there in the public school system largely in the desire to combine the teaching of agriculture and science. There is every indication that this demand will spread with considerable rapidity. The elementary grades will not yet demand special teachers for these subjects. The special or separate agricultural schools will demand special teachers, with thorough preparation. The demand for nature-study teachers is increasing. These teachers should be able to handle the agricultural work in the grades.

As to the kind of preparation that the teacher should have for good work in agriculture, the first requisite is a new point of view in education. The person need not be afraid to set sail on the ship of current educational theory, but he should be ready, on occasion, to throw overboard all his luggage. He is to land on the home patch, where he will meet new problems that he may want to attack naturally in his own way, and his progress should not be impeded. He

will not need all the things that he has picked up on his travels. He is to study the objects and materials just about him and as they actually exist, and he is to study them himself, and then impart his interest and his enthusiasm to his pupils. He will need tools of various kinds, as implements, books, notebooks, and apparatus, but they are only tools.

Again, he must teach first-hand fact, not mere theory or mere text-book. The recitation is only incidental; perhaps he will not utilize it in a good part of the work. All agricultural subjects must be taught by the nature-study mode, which is accurately to see the real object or the real phenomenon; to reason correctly from what is seen; to establish a bond of sympathy with the object or phenomenon that is studied. One can not see accurately unless one has the object itself. If the pupil studies corn, he should have corn in his hands, and he should make his own observations and draw his own conclusions; if he studies cows, he should make his own observations on cows and not merely repeat what some one has said about them. So far as possible, all nature-study work should be conducted in the open, where the objects are. If specimens are needed, let the pupils collect them. See that observations are made on the crops in the field as well as on the specimens. Nature study is primarily an out-door process; the schoolroom should be merely an adjunct to the out of doors, rather than the out of doors an adjunct to the schoolroom, as it is at present. It can not be too often repeated that the teacher and the pupil must *get out of doors.*

Again, the mere details of "method" are of very secondary importance. When the teacher knows a thing of his own experience and is consumed with enthusiasm for it, he will teach in spite of himself. The teacher must be taught to teach the significant things. Many a pupil is wearied of a subject by the endless attention to mere details, and to exceptions, and to overcareful explanations of this and that. Teach the detail only when the detail is relevant. Do not teach mere processes so far in advance of the need of them. It is the finest thing in teaching to have a nice sense of proportion.

Still again, the intending teacher of agriculture should not neglect the home side of farm life. What we call "home economics" is not necessarily a woman's subject alone. It is central to all effective agriculture. The country girl has just as much need of being put into touch with realities as the country boy has, and no teacher of agriculture, whether man or woman, should neglect or overlook the home any more than he should neglect or overlook the barns.

We may now consider the institutions that may train teachers. In the effort to elucidate this perplexing subject, correspondence has been asked of all State superintendents of public instruction in the United States and of all agricultural colleges, and appeal has been made to

many persons who have given this matter much thought. The correspondence culminating in this publication has covered several years, although not all undertaken for the particular purpose of this report. The kindest and freest responses have been given, for which the author now makes due acknowledgment. This correspondence discloses the most diverse opinions in respect to the means to be evolved for the training of persons to teach agriculture. All the respondents indicate a desire to see some means developed whereby teachers can be fitted for this work, evidencing their feeling that a question of great public moment is before us.

The subject may be clarified at once by dividing the efforts to train teachers for agriculture into two groups: (1) Those agencies that aim to aid teachers already in the schools to "get up" agricultural work; (2) those agencies that aim consciously to prepare new teachers for this field.

(1).—AIDS TO TEACHERS.

With the exception of the newly organized special agricultural schools, the present work in the teaching of agriculture will fall mostly to teachers who are now engaged in the schools. They have had no regular school training in the subject, as a rule, and they must now prepare themselves as best they can. They are often forced to pass an examination in what is called agriculture, even though there may be no means whereby they can compass the subject. For the present teachers various aids and short cuts are provided, and some of these agencies are also invoked to spread the propaganda of the new education among the people.

These agencies may be ranged under seven heads: (*a*) Summer schools and institutes; (*b*) introduction of agricultural work into brief teachers' institutes and convocations; (*c*) lectures before teachers, farmers, and various organizations, emanating from an educational center; (*d*) correspondence, reading club, and leaflet work; (*e*) short courses in agricultural colleges and other institutions; (*f*) supervising or advisory teachers who inspect the nature study or agriculture in a group of schools; (*g*) work of the United States Department of Agriculture.

These diverse agencies have exerted a powerful influence on public sentiment touching education that shall prepare men and women to live. In fact, the present momentum of the movement is very largely due to the extensional and propagandic work that these agencies represent. These enterprises can not be expected, however, to give persons the real initial foundation and point of view that will be needed in the coming teaching of agriculture; this real preparation in any teacher must come gradually as the result of work extending over a sufficient period to develop the time element in education. One or

more of these various enterprises is often sufficient, however, to put a good and experienced teacher into real touch with the problem and to enable him greatly to extend his usefulness. For many years to come they will be an important means of providing the agriculture teachers in elementary grades. Even if they should eventually cease to be important means of preparing teachers, such temporary agencies—much improved and intensified—will always be needed to reestablish teachers in the faith and to aid them in keeping alive to the progress of their time.

(a).—SUMMER SCHOOLS.

The vacation school probably affords the best means of aiding the teacher who can not take a year or more for preparation. These schools are of two orders: (1) those connected with an institution; (2) those held by State departments of education, being in the nature of prolonged and specialized institutes. If a person devotes himself to mathematics, language, literature, or science in a good summer school of six weeks' duration connected with an institution, he is able to receive a year's college credit for it; there is no reason why he should not cover similar ground in agriculture, if the subject is well taught. The summer schools are becoming more and more explicit and concrete. When they are held at an established institution, they have the advantage of the facilities that have been collected through years of effort. They are also dominated by the teaching spirit, as most of the students are themselves teachers. For agriculture teaching these schools may be very effective, because they come at a season when crops are growing. Many institutions now provide summer schools or sessions in which agricultural and kindred subjects are offered. It will not be long before all agricultural colleges will offer such work. This summer-school work in agriculture is coming to be very direct and practical. The University of Maine, for example, offers a five weeks' course in which one week is given to soils, one to plants, one to animals, one to birds and insects, and one to agricultural economics.

In many of the States the departments of public instruction hold one or more summer schools or institutes of one to four weeks, called also "summer normals" and "junior normals," for the benefit of teachers, at which definite agricultural subjects are taught. The college of agriculture often cooperates. In Minnesota, for example, about thirty-five summer training schools are held, that are in session from four to six weeks. These schools are supported by legislative appropriations. One or more lecturers are employed at these schools "to arouse the interest of teachers in the subject of agriculture and to outline simple courses of work that can be carried out by rural

teachers." Other States follow similar plans. One difficulty often reported is that speakers do not really give instruction in agriculture, but expand on the beauties of country life and on the means of keeping the boys on the farm.

(B).—THE REGULAR TEACHERS' INSTITUTES.

It is noticeable that even the regular brief institutes and teachers' meetings, held throughout the year, now are giving much attention to agricultural subjects, most often, perhaps, in their nature-study phases. These meetings may render the greatest help in putting teachers in touch with the most recent progress, new books, and new methods, although it should be distinctly understood that they can never of themselves give teachers sufficient training for any really effective teaching of agriculture. In their agricultural work, they are yet too prone to emphasize the extraordinary, the semisensational, and the wonderful, evidencing the fact that we are now in the exploitational stage of our agricultural education evolution. The teacher who is not well grounded may be led astray.

(C).—LECTURES.

One of the most useful recent movements is the interchange of speakers between teachers' institutes and farmers' institutes. The agricultural colleges are also called on for much lecture work on educational topics; this is good both for the people and the college. Farmers are being called on more and more to recite their experiences. The farmers' institute organization in Illinois has been able to create a strong sentiment in favor of teaching agriculture in the rural schools, being regarded by the Superintendent of Public Instruction as the most powerful agency in this work. In other States the institutes have exerted a similar effect by means of traveling speakers. Such work not only establishes a point of view in the people, but discovers the promising teachers here and there and gives them courage and support.

(D).—CORRESPONDENCE AND LEAFLET WORK.

This class of work has now assumed large proportions in some quarters, and has fairly passed the epoch of hostile criticism, although it has not yet passed its experimental stage. When it has fully passed this stage, much of its spontaneity and usefulness will have ceased. The correspondence and leaflet method does not make as strong impression on the teacher as good summer school work or other means of direct personal contact with a good teacher; but it is most effective in arousing a sentiment for better things, and it may be very useful to the individual teacher who wants to work

at his problem quietly and resourcefully. It produces the maximum result at the minimum expense. Various clubs are organized, and crop-growing and exhibition contests are arranged. Combined with an organized lecture system and visitation system, it is probably the most powerful single engine to aid the teacher of agriculture and related subjects in the rural schools. Its greatest danger is its tendency to hold too many names on the lists, thereby limiting its usefulness to each one. One of its greatest faults has been the issuing of publications that are too technical and too dryly agricultural. On the whole, no other agency has placed so many real helps before the teacher.

(E).—SHORT COURSES IN AGRICULTURAL COLLEGES.

Many of the agricultural colleges have long been giving brief courses for farm youth. They are now beginning to adapt some of this instruction to the needs of teachers, and it is probable that the demand for such adaptation will increase. Some of the colleges are offering courses of one and two years' duration, but these partake of the nature of real normal departments and may be considered in a subsequent part of this paper.

In two or three States spring schools are held at the agricultural college. The schedule of such a school given by the North Carolina Agricultural and Mechanical College is as follows:

Four weeks' spring normal agricultural courses.

[Twenty-four hours per week; total, 88 periods.]

	Periods.
Animal husbandry	8
Dairying	8
Horticulture and floriculture	8
Soils and farm crops	8
Bacteriology	2
Physiology and hygiene	4
NATURE STUDY.	
Plant studies	5
Animal studies	4
Insect studies	4
Common branches: Arithmetic, grammar, geography, reading, and history	20
Methods of teaching	16
School sanitation	1

(F).—PERIPATETIC TEACHERS.

Following the city school plan of having a visiting teacher of music or manual training, some places have adopted a similar plan for rural schools. One teacher can visit several schools, either giving the instruction himself, or, what is better, supervising and directing the work of a teacher in each school. The former phase (the peripatetic

teacher doing all the teaching) may be worth the while in starting the new education, or in the lack of teachers. The second phase (the directing of other teachers) is very effective when the individual teachers are not themselves expert, and it should have a marked effect on the teacher. This plan has been tried in Canada, and one teacher there writes:

> The teacher must be trained, and it may be by a graduate of a normal school or an agricultural college, or by a director or supervisor of nature study. I think the last way is a good one. It improves the instruction in the school at the same time that the teacher is being trained, and many teachers think they can learn to better advantage in a school of their own than at a normal school. Of course, normal training should come first, and further training in nature study can be given the teacher while at her work, by a director of nature study; but this director should be an educator and not a mere specialist in some branch of natural science.

In some places it may be possible for a teacher of agriculture in a high school to inspect and supervise the agriculture teaching in the elementary schools of the region. If he is himself well trained, he should be able to exert a great influence in putting the other teachers on their feet.

(g).—UNITED STATES DEPARTMENT OF AGRICULTURE.

Much of the work of the national Department of Agriculture is distinctly educational and is of great value to teachers; and the Office of Experiment Stations maintains an organization to aid schools, colleges, and teachers in their pedagogical work. This Office is able often to send speakers to teachers' institutes and elsewhere; it maintains a large correspondence with school men; it publishes bulletins of information and advice on school gardening and agricultural teaching; it collects data on both foreign and American school work for the purpose of keeping the public informed of the state of agricultural education; and in general it lends counsel and encouragement to those in need of it.

(2).—THE TRAINING OF NEW TEACHERS.

We now come to the real question before us—where the agriculture teachers of the future are to be prepared.

Seven types of institutions or organizations are now beginning to train teachers for agriculture: (*a*) State normal schools; (*b*) local normal schools; (*c*) high schools and training classes; (*d*) separate agricultural schools; (*e*) special detached foundations for industrial work; (*f*) education departments of colleges and universities, and teachers' colleges; (*g*) agricultural colleges. It is not the purpose of this report to make any full discussion of these categories, unless perhaps the last one, but only to indicate what seems to be the most

promising field for each group of institutions. The agencies comprised in the above categories are not always distinct from some of those that aim chiefly to aid the present-day teachers (see page 25). These two groups merge, some of the shorter-course agencies often being conducted by the organizations mentioned in the present list. The purpose of the division into the two groups, however, is not to classify organizations or agencies, but to clarify the discussion by calling attention to the two main lines of effort. In general, an organization that maintains a continuous course of work for at least one school year is placed in this second group. It is not the object, in either of these groups, to make a complete list of the subclasses of institutions or organizations, but only to indicate the leading types. It may probably be taken for granted that in the end adequate preparation for the teaching of agriculture in the secondary schools, special industrial schools, and normal schools can be secured only in some kind of professional institution organized for the training of teachers; but the serious work of training teachers for agriculture in the schools is only begun here and there, and adequate systems are yet to be worked out.

(a).—STATE NORMAL SCHOOLS.

Nearly all the correspondents who have contributed suggestions to this report express the opinion that the regular normal schools should train teachers for agriculture. Theoretically this may be true, but the normal schools, as other institutions, face the practical conditions under which they exist. In a western State where cities are few and small, where agriculture is the dominant industry, and where normal schools are new, the educational problem is very different from what may obtain in one of the easternmost States. In the Eastern States the normal schools are taxed to their full capacity to supply teachers for the cities; the cities pay good wages for teachers; the normal schools are likely to be located in cities and without farm land; their energies are consumed in a line of work for which they have become adapted by years of effort. In such cases good agricultural work can not be added without a new and radical type of extension of the school; and it then becomes a question whether it would be better for the State to make such extension or to establish a new kind of training school elsewhere. It is a question, also, whether the normal method, as developed in some of these schools, is sufficiently elastic and adaptable to render good agriculture teaching possible. At all events, one can not look to all the existing normal schools in the older States, or even to any considerable part of them, for the training of teachers for this kind of work.

In the Middle West and in the newer States many of the normal schools are beginning to train in agricultural subjects. Heretofore the courses in these subjects have been largely adjuncts to the natural science teaching, but the work is now being differentiated. In Georgia it is expected that the State normal school will train teachers of agriculture for the elementary schools. "No one is given a diploma who does not take the prescribed work in agriculture. There is a regular professor of agriculture and he has about 20 acres under cultivation." Such courses, the correspondent thinks, "will assure a constantly increasing number of trained teachers for the elementary schools." For the most part, however, the regular State normal schools, particularly in thickly settled States, will probably train teachers for graded town and city schools rather than for elementary rural schools. Public pressure may force such of them as are most advantageously situated to establish special courses or classes to meet the needs of the rural schools, in much the same way that agricultural colleges have been obliged to organize short courses for farm youth.

In some States a special effort is made to interest the country boys and girls in the normal-school training. In Illinois, for example, a law was passed in 1905, called the "Normal school scholarship law," which provides that one pupil from each township in the State, selected by competitive examination, shall annually be awarded free tuition in one of the five State normal schools for four years. This makes it possible for each of the 1,887 townships of Illinois to have in the normal schools four pupils who at any one time are taking advantage of these scholarships. These boys and girls are from the common schools, graduates of the eighth grade, and, as the law is now working, 95 per cent of them come from the country districts. Having been born and bred on the farm, they are familiar with farm conditions, and have sense experience of farm life. These persons go into the normal schools for one term, two terms, or a year of work, and then return to teach in the country schools, coming again, it may be, to the normal school to do further work. It is expected that this plan will supply many energized teachers for the rural schools.

(b).—LOCAL NORMAL SCHOOLS.

The inability of the regular normal schools to supply teachers for rural elementary work has led to the establishing of county and other normal schools. In Wisconsin there are sixteen county institutions, and four more in process of organization. The sole purpose of these Wisconsin schools is to train teachers for the rural communities. The diploma is a three-year certificate, permitting the holder

to teach for that length of time in the rural or ungraded schools. These certificates may be renewed for another three years, provided the holder can give evidence of having taught successfully. The Dunn County Normal School, one of the first to be established, has been in operation for eight years, and it is reported that there is scarcely a rural school in the county that is not taught by its graduates. It is apparently only a question of time and legislative action before practically all the counties of the State will have such schools.

The Wisconsin county normal or training schools are among the best institutions yet developed in this country for the direct training of teachers for local rural schools. They are organized for a specific purpose. The salaries are now as good as in the State normal schools. In Menomonie, Wausau, and Marinette the county normal school is in the same building with the county agricultural school; the instructor in agriculture in the latter school takes the normal school students for work in agriculture, and the normal school reciprocates by giving an equivalent amount of academic work to the agricultural students. This tends to set a standard for the pedagogical instruction in such other normal schools as are not fortunate enough to be in direct connection with a school of agriculture. The course of study in the normal schools is now two years, or high school graduates may take a one-year course. A well-known educator of Wisconsin writes that "the schools have so thoroughly approved themselves to school officials and to the public generally in the counties where they have been in existence that it is almost impossible for a person to get a position in the counties where these schools are located who has not had at least the work which the training offers." The work in agriculture in these normal schools is as yet not large, but it will increase. The course of study in the Richland County Training School is here given as an illustration of the content of the work, as all these schools have similar curricula:

First year.

First Quarter:

Algebra.
Agriculture.
Grammar.
Primary reading and orthoepy.

Second Quarter:

Algebra.
Political geography.
Composition.
Expressive reading.

Third Quarter:

Algebra.
English history.
Primary constructive work.
Expressive reading.

Fourth Quarter:

Arithmetic.
United States history.
Spelling and penmanship.
Literary reading.

Second year of the two-year course, or the one-year course for those prepared to take it.

FIRST QUARTER:
- Arithmetic.
- Drawing.
- Reading and orthoepy.
- Physical geography.
- Psychology and pedagogy.

SECOND QUARTER:
- Arithmetic.
- Grammar.
- Literature.
- Political geography.
- Methods.

THIRD QUARTER:
- United States history.
- Composition.
- Literature.
- Physiology.
- Practice teaching.

FOURTH QUARTER:
- United States history.
- Constitutions.
- School management and spelling.
- Agriculture.
- Practice teaching.

After having taught in a rural school for a time, it is to be expected that most of the graduates who desire to continue to teach will enter State normal schools or other institutions, and prepare for city school work. The rural schools do not yet offer sufficient attractions to secure well-prepared teachers for a long tenure.

(c).—HIGH SCHOOLS AND TRAINING CLASSES.

It is often urged that high schools give instruction in agriculture as a part of their general course for the purpose of fitting teachers in the subject. It is very doubtful, however, whether we should really look to the ordinary graduates of high schools for rural teachers. It requires more than the usual maturity, and considerable experience in affairs, to handle a rural elementary school effectively; and if a direct appeal is to be made to the farming constituency on the basis of agricultural work in the school, the teacher must be sure of his practical ground. Again, the high schools are not professional schools, and are not organized for normal work. The teachers that may be expected from them are mostly women. Agriculture should be introduced into the high school for its educational value. It will then constitute a good ground work for later training in education in a training class or elsewhere.

Another means of fitting teachers for rural elementary schools is in training classes developed in high schools or other institutions. These agencies have been widely adopted, but opinion as to their ultimate value seems to be divided. They are usually organized specially to meet rural school conditions. They are commonly connected with an accepted high school. The course of study covers one year or more. The students may or may not be high school graduates. Usually the work covers the elementary syllabus of the State, and this syllabus may contain agriculture. The successful completion of the course certifies the student to teach in certain of the schools. Agriculture is often a regular part of the course of study in these

classes. In Michigan "elementary agriculture" is in the fourth quarter of the year's course in the "County normal training classes." In Nebraska a very full two-semester course in agriculture, with laboratory work, is provided for "Normal training in high schools." This normal training in Nebraska is given in the eleventh and twelfth grades. "Credit for such training shall be given upon the completion of the prescribed course in normal training and the regular high school course of study."

A canvass of an apparently representative high school training class in one State showed four members to be high school graduates and nine to have had considerable high school work. Six of them were from farms and considered themselves to be fairly well qualified to teach some of the subjects relating to farming. The ages ranged from 17 to 22, the average being 19. All were women.

A further inquiry in the same State showed that 345 out of 470 training class students had spent most of their lives on the farm. Of this number, 322 considered themselves capable of teaching agriculture, but it should be said that agriculture teaching has not yet been introduced practically in that State. The ages of these students, nearly all women, range from 17 to 34 years, the average being 21 years.

No general opinion can be expressed on the efficiency of training class work in the fitting of persons to teach agriculture, for everything depends on the organization of the enterprise, the safeguards thrown about it, the age, experience, and qualifications of the students, the extent of the agricultural work, and the way in which it is taught. These classes, of one kind and another, are now sending out very many teachers to the rural schools. Their great handicap is that they themselves can not secure teachers properly qualified to give instruction in agriculture. No real preparation of training class students to teach the agriculture of a syllabus can be expected unless the teacher of the class has himself had good preparation in the subject.

(D).—SEPARATE AGRICULTURAL SCHOOLS.

The county and other schools of agriculture and domestic science that have lately been organized have thus far confined their energies to regular agricultural or industrial work; but many persons expect that they will also become important centers for the training of teachers for elementary and secondary schools. If they enter this field, it is a question whether they will not be in danger of alienating their regular farming support, unless they can command more resources than are now in sight. These schools are organized chiefly to supply a direct agricultural need. It will require considerable increase in funds if they hold this field and also enter another. It

is expected that these schools, of all others, will send youth directly back to the farms. In Wisconsin, where there has been experience in both agricultural and normal work, the two functions are separated; and this would seem to be the logical result for all States.

(E).—SPECIAL FOUNDATIONS.

Various institutions on private or semiprivate foundations, and not a regular part of public school enterprises, offer facilities for teachers to prepare in agriculture and kindred subjects. A marked example of this group is the Macdonald Institute at the Ontario Agricultural College, Guelph, Canada. "Its equipment and accommodation is ample to furnish long and short courses in home economics, nature study, and manual training—the last two for teachers, male and female, and the home economics for farmers' daughters and other young women who desire to learn the theory and practice of cooking, ventilation, general housekeeping, laundry work, sewing, dressmaking, millinery, home decoration, etc." Summer courses are provided at Guelph; also a one-year normal course "to provide instructors fitted to carry on the work of nature study and school gardens in a group of rural schools, in a large consolidated school, or in an agricultural high school." The new Macdonald College, near Montreal, will have a profound influence on the teaching of country life subjects.

The Hampton Normal and Agricultural Institute, Virginia (a parental type of others in the South), provides normal training for negroes and Indians. The year for agricultural students is twelve months, with a vacation of a few days or weeks only. At the close of the academic year class-room work stops, but each student is given work in the different divisions of the department, where he can get experience in planning and directing labor and field operations and in assuming responsibility. At the same time he is given instruction in the best methods of managing labor. Actual class-room work under normal methods, and practical field work, seem to fill a great need in fitting the students for teaching what they have acquired in the class room.

Students of Hampton who design to teach receive, before being graduated, four months' instruction in psychology and the principles of teaching, four hours per week, and also engage for four months in actual teaching in the class room. The student teaches all of the common school subjects of the State of Virginia. A large school garden affords opportunity for the teacher students to work with children in the open during April, May, October, and part of November. For the winter season, an indoor course in nature study and agriculture supplements the outdoor work. Post-graduate students

receive two months' training in teaching classes in the training school. These students teach agriculture and elementary science. They plan their lessons, teach children to work in the garden, and conduct field trips.

(f).—EDUCATION DEPARTMENTS AND TEACHERS' COLLEGES.

Much is to be expected of schools and departments of education in universities in the preparing of teachers for the higher ranges of public school teaching in agriculture. This is particularly true when a college or department of agriculture is comprised in the same university. In such case a four-year course can be assembled, involving two years of sound general scientific study, followed by two years in which the study of agriculture and related subjects is combined with training in education, all having special reference to high school and normal school problems. This would involve the modification of some of the regular instruction in the agricultural departments, or, preferably, new courses in them to meet the special needs of teachers. Professional schools of education that do not have regular agricultural connection may well cooperate with a neighboring college of agriculture by incorporating a year, more or less, of the work of such college as a part of its own course of study for those who desire to prepare specially for agriculture teaching. Teachers College of Columbia University in this way catalogues certain courses of the College of Agriculture at Cornell University.

Following is the statement of Teachers College in respect to the cooperation mentioned above (1908):

Agriculture in high schools.—The rapid development of agricultural instruction in many public schools is creating a demand for specially trained teachers. It is the consensus of opinion of school officers that for such instruction there is need of teachers who have been thoroughly trained in general sciences, biology, in particular, with its application to agriculture, and also in the principles of education. Many agricultural colleges give the subject-matter which is needed, but they do not deal with the educational applications. In order to combine the advantages of an agricultural college with those of a strictly educational institution a plan of cooperation has been arranged between Teachers College and the College of Agriculture at Cornell University, whereby students preparing for special work as teachers of agriculture may take the appropriate courses in the science of agriculture at Cornell University (especially principles of agronomy, horticulture, and animal husbandry) and then study the educational problems at Teachers College.

As already stated, it is desirable that agriculture should be combined with nature study and biology, or with nature study and physical science. Such combinations may be made by candidates for the bachelor's and master's degrees at Teachers College. The intimate relation of elementary agriculture to biology and nature study makes it desirable that their educational aspects should be involved in the same courses. Hence the student giving especial attention to agriculture will arrange a course at Teachers College as suggested above for biology and nature study; but having had previous special work in

the subject-matter of agriculture at Cornell University, or elsewhere, the individual work, such as preparation of papers and theses, will in the educational course be centered around problems of agricultural teaching.

Approved courses in the science of agriculture taken in agricultural colleges other than Cornell will be credited at Teachers College.

In the University of Missouri the Teachers' College utilizes courses in the College of Agriculture for teachers who desire to fit themselves for teaching agriculture in the public schools. These courses in the College of Agriculture are in the main distinct from the regular agriculture courses, and are designed primarily for teachers. Credits are given for the work only to students in the Teachers' College who are expecting to be teachers. In addition, for the university students who have taken sufficient of this elementary work for teachers and who have also the requisite preparation in the natural sciences, provision is made for electing and receiving credit for some of the technical courses in agriculture and horticulture which are given in the College of Agriculture. A good many teachers in the Teachers' College are enrolling regularly in these courses in agriculture and horticulture, and some of them later elect the more technical courses in the College of Agriculture, in order still further to increase their training in agricultural subjects for the distinct purpose of enabling them to teach agriculture in the public schools.

Speaking of their various experiences in aiding teachers to handle agricultural work, an officer of the University of Missouri writes as follows:

In my judgment the most effective results in proportion to the energy expended have been secured through the courses offered to teachers in the university. Perhaps the majority of teachers who take agriculture regularly in the university courses do not themselves teach directly in the country schools, but in the better high schools of the State, in smaller towns surrounded by good farming communities. These teachers in the high schools have the training of a large number of young people who teach in the country schools later, so that it is safe to say that every teacher who takes our regular university courses in agriculture reaches with this teaching hundreds of young men and women who will go out into the country schools as teachers. A good many schools of this State are teaching agriculture and kindred subjects in one way or another. Many of them are correlating the work with geography, with language, and even sometimes with other subjects in the schools, through the aid of school gardens or school plantings, and by a study of the material with which the pupils come in contact at their homes. In addition to correlating the work with other subjects, some of the schools give regular courses in agriculture and horticulture.

(G).—COLLEGES OF AGRICULTURE.

The agricultural colleges are now beginning to devise means of extending their efforts to the training of teachers in agriculture. This movement is of such vast importance in the field of practical pedagogy that it may now be separately discussed in a final chapter.

PART III.—THE GENERAL OUTLOOK, AND THE SIGNIFICANCE OF NORMAL WORK IN THE COLLEGES OF AGRICULTURE.

We have now taken a general look at the demand that is arising for teachers in agriculture of a public school grade, and we have reviewed the main types of agencies that promise to aid us in supplying these teachers. We may now throw these normal agencies into something like a classified system, and indicate the main lines of a rational procedure.

1. The elementary schools demand general teaching. Not much that is named agriculture is possible with the pupils of elementary school age, but nature study and the industrial spirit should constitute the foundation of their work. The district rural schools are elementary schools. They pay small wages and offer few attractions to teachers. For the most part they are able to secure the services only of those persons who are on the way to other employment. Their teachers are mostly women. Until these conditions change, the rural schools must draw their teachers chiefly from the region of the high schools. Whenever good science work is an important part of the high school course of study, and particularly when good agriculture teaching is also introduced as a regular part of the curriculum, a training class in connection therewith and requiring a high school diploma for the completion of the work should be able to make great progress in preparing teachers for the elementary grades. Some of the teachers for the grades will be recruited from the ranks of those who do not complete normal school courses, and some States or counties may provide special means of training such teachers by organizing normal school work below the regular normal school grade. In the end special local means or institutions must be provided for the training of these teachers, and it is time that this were recognized. At present, however, it may be repeated, it is incumbent on the secondary school region to train the teachers for the elementary region.

2. The teachers who are to train these elementary teachers must themselves be trained. They must have real preparation, if the agriculture teaching is to be of permanent value; they can not be trained in the common teachers' institutes or by other mere short cuts. The teachers of this secondary normal work must be trained in institutions where genuine agriculture is established; some of the State normal

schools may provide this work; some of the special separate schools of agriculture may provide it; some of the education departments or teachers' colleges in association with agricultural departments of higher institutions may provide it; the agricultural colleges will be obliged to provide it. The best trained and best adapted of the graduates of the colleges of agriculture, however, will find better openings than most schools of the secondary region are at present willing to pay. The preparation of such teachers should include general scholarship and training in the principles of education, as well as specialized scholarship in agriculture and other industrial work, and also sufficient hand practice outdoors and indoors to give them command of the technique of instruction.

3. If the regular agriculture teachers of secondary schools and the teachers of secondary training classes are to be prepared in the State normal schools, then these normal school teachers must themselves be trained in agriculture. Their training must be more than can be secured in the normal school itself. They may be trained in education departments of universities and in teachers' colleges, provided always that these institutions are associated with real agricultural work, such as is possible in an agricultural college; or they may be trained in the agricultural college itself.

4. The agricultural college necessarily stands at the head of the system. It holds the key to the situation. It must provide the leaders.

The body of knowledge and philosophy that is comprised under the modern word "agriculture" is of such vast range, the subjects are so numerous and so difficult, the equipment required to teach it is so large and so expensive, that only such institutions as are specially devoted to the subject can understand it or properly represent it. These institutions express a great phase of our national life. More than any other institutions they stand for the very democracy and nativeness of education, for their purpose is nothing less than to reach the last man on the last farm by means of the very things by which that man lives.

It is good to have seen these colleges of agriculture gradually emerge and then enlarge their territory, quietly annexing this subject and that, until they have come to be one of the great social and spiritual forces of the day. They have not yet developed a pride of education, and they have not reached the limit of the territory that they will annex. It may be found, in good time, that they have forced new standards of education. These colleges will now add normal departments and they will attract the teaching type of mind. The graduates of these departments will supply some of the normal schools; some of the high schools; some of the training classes and special normal organizations; and what they give will be passed on

from school to school and grade to grade, until it fertilizes the whole enterprise. This is not at all a mere visionary outlook, and for the very good reason that the agricultural colleges are the only teaching institutions that are in possession, at first hand, of the essential facts of rational agriculture.

A number of the colleges of agriculture have already undertaken to develop teachers' courses, either on their own account, or in association with the education departments of the universities with which they are connected. Congress has also given them a direct opportunity to establish such work in a provision of the Nelson amendment to the agricultural appropriation bill for 1907–8: "Said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts."

The Nelson amendment provides, when it shall have matured, for the appropriation of $25,000 annually to the land-grant colleges of each State. This is the only national appropriation that specifically recognizes this particular kind of college work. This fund will afford an unexcelled opportunity for some of the stronger institutions to establish a department or school in which persons shall be trained directly for the teaching of agriculture and the mechanic arts in the public schools.

MASSACHUSETTS AGRICULTURAL COLLEGE.

The Massachusetts Agricultural College established in 1907 a department of agricultural education, with a professorship. W. R. Hart, formerly of the State Normal School at Peru, Nebr., has been chosen to head the department. This department is organized under a State law that makes an annual appropriation of $5,000. This law originated from a recommendation of the Massachusetts commission on industrial and technical education, in 1906. (The report of this commission is a most valuable contribution to the subject of industrial education.) The first move was the organizing of a summer school of agriculture of four weeks, which had an attendance of considerably more than two hundred. Following is a course of instruction for the year 1908–9:

1. *The meaning of education*, dealing with the biological and psychological aspects of the processes of learning.
2. *Vocational education*, being chiefly historical. This is given in 1907–8.
3. *Methods in agricultural education.*
4. *Seminar*, a study of problems in agricultural education.

COLLEGE OF AGRICULTURE OF THE UNIVERSITY OF ILLINOIS.

The College of Agriculture of the University of Illinois has an instructor in secondary school agriculture, D. O. Barto, an experienced school-teacher and a graduate of the college, who for two years has

been employed to give his entire time to the question of teaching agriculture in the public schools. He visits farmers' institutes and teachers' institutes, freely discussing these questions, and offers two courses of instruction during the university year. One of these courses is designed to train teachers for the secondary schools, and the other to train them for the grades. These courses are repeated in the summer session. The particular courses offered in 1907–8 are as follows:

1. *Principles and methods of high school agriculture.*—This course, designed for students who have had not less than two years' work in agriculture, will be devoted mainly to considering what features of agricultural science are best adapted to high school conditions, the best order and methods of their presentation, how to suit the course and instruction to the special interests and needs of each school community, what laboratory work shall be given, what apparatus may be used, what field experiments can be planned and executed.

2. *Elementary agriculture.*—This course is for those students who are preparing to teach in secondary schools, especially for teachers of science, but who have had no work in agriculture. A study of the soil, its origin, nature, functions, properties, and classification; problems of temperature, aeration, control of moisture; enrichment and impoverishment of the soil; the plant, how it feeds and grows, its modes of reproduction, factors in crop production, rotation, value and use of legumes, selection and testing of seed, their types and breeds, care and management; dairying, production of milk, testing and care of milk; farm plans, farm machinery; economics of agriculture.

3. *Farmers' institute management.*—A study of the farmers' institutes as a factor in our system of public education. This course is designed to set forth principles underlying the organization and conduct of farmers' institutes and agricultural associations and to systematize into definite lines the knowledge acquired in college to the end that the student may render more distinct service in institute and agricultural associations. Lectures; assigned readings and parliamentary practice.

NEW YORK STATE COLLEGE OF AGRICULTURE.

In the New York State College of Agriculture at Cornell University a two-years' normal course in nature study, leading to regular academic credits, was organized in 1903, and this is now known as a normal department, with six persons giving instruction. This organization is the natural outgrowth of the nature study and other extension enterprise that has been under way in the institution for many years. Summer schools of nature study were held in 1899 and 1900. A regular summer session is in process of organization. A rural schoolhouse, accommodating thirty pupils and provided with workroom and located in a school garden, is part of the equipment. Following is the course of study for 1907–8:

This course is organized to help persons who expect to teach nature study and country-life subjects in the public schools. Persons actually engaged in

teaching and also all persons in the university who signify their intention to teach are eligible. A certificate will be given on the completion of sixty hours in the courses prescribed below, together with such other work in the College of Agriculture as may be approved by the director. Designed to prepare students to teach elementary agriculture. Practice work is given in the public schools of Ithaca.

	No. of course.	First term.	Second term.
FIRST YEAR.			
Botany	1	3	1
Botany	2		2
Invertebrate zoology	1	2	
Vertebrate zoology	2	2	
Entomology	3		3
Physical geography	1	3	3
Chemistry	185	3	
Nature study	91	3	
Nature study	94		2
		16	11
Elective, at least two-thirds agriculture		0–2	4–7
SECOND YEAR.			
Vertebrate zoology	6	3	3
Botany	5		2
Entomology	15	3	3
Soils	101	3	
Farm crops	111		3
Nature study	92		1
Nature study	93	2	
		11	12
Elective, at least two-thirds agriculture		4–7	3–6

91. *Nature study.*—Lectures and discussion of methods. First half year. Credit, three hours. M., W., F., 12.

92. *Home nature-study work.*—Work in the training classes in the Ithaca schools in which students are also to take part. Second half year. Credit, one hour. By appointment.

93. *Practice work in nature study* in the public schools of Ithaca, comprising schoolroom work, excursions, and other exercises with children. First half year. Credit, two hours. By appointment.

94. *School gardens*, comprising actual garden making with children on school grounds and in the university school gardens. In winter the work will be conducted in the forcing houses where plant-growing subjects will be taken up in such a way as to adapt them to elementary school conditions. Second half year. Credit, two hours.

98. *Seminary in nature study and elementary agriculture.*—Devoted to the study of the methods of teaching nature study and elementary agriculture, and to the review and criticism of courses now offered in our elementary and secondary schools. Credit, one or two hours. F., 12.

99. *Nature study.*—Advanced course. Individual work on special problems. Registration only after consultation.

UNIVERSITY OF MISSOURI.

In the Teachers College of the University of Missouri provision is made for pedagogical work in agriculture. In this college John C. Whitten is " professor of the teaching of horticulture," and Frederick

B. Mumford "professor of the teaching of agriculture." The following courses are offered by these officers:

(a) *Agriculture.*

Professor MUMFORD.

1a. *Soils and plant studies, with reference to agriculture.*—This course will aim to give a clear general knowledge of the principles of agriculture. The character of the work is adapted to those who are preparing to teach in the elementary schools. *Three times a week, first semester.* Hours to be arranged.

2. *The principles of agriculture.*—Fundamental conceptions of soils, plants, and animals, and their application to agricultural practice. Lectures, reading, laboratory work, and field excursions. A course for high school and academy teachers. *Three times a week.* Hours to be arranged.

Other courses in agriculture may be elected by students in the Teachers College.

(b) *Horticulture.*

Professor WHITTEN.

1b. *Cultivated plants.*—How they grow under culture, their relation to their environments, and common methods of propagating and managing plants; the materials for a school garden and how to use them. Lectures and laboratory. This course is intended for those who are preparing to teach in elementary schools and who may not have time for the longer courses offered by the department. *Three times a week.* Hours to be arranged.

1a and 2b. These two courses taken together constitute a year's work in which the topics mentioned in 1b are given fuller and more scientific treatment. They can be taken after 1b or independently of it, and are designed to meet the needs of those who are preparing to teach in any branch of biological science. *Three times a week.*

4a. *The evolution of cultivated plants.*—Lectures and assigned readings. A study of organic evolution as applied to the modifications of plants, particularly those in cultivation. *Three times a week.* Hours to be arranged.

Other courses in horticulture are open to students in the Teachers College.

COLLEGE OF AGRICULTURE OF THE UNIVERSITY OF MAINE.

The College of Agriculture of the University of Maine late in 1907 organized the following course in agriculture for those who intend to become teachers of this subject in the public schools:

This course is offered in response to a call for teachers capable of teaching elementary agriculture in schools and academies. In order to receive a degree one hundred and fifty hours, or 30 credits, must be received. The following course as laid down covers one hundred and forty-six hours. The remaining six hours have been purposely left open for elective work in order that the student may receive as liberal a training in cultural studies as is consistent with the amount of technical work necessary. It is recommended that the electives be taken from the departments of biology, history, economics, chemistry, physics, or English.

Freshman year.

FALL SEMESTER. Subject.	Hours.	SPRING SEMESTER. Subject.	Hours.
Chemistry	2	Chemistry	3
Laboratory chemistry, 2 [a]	1	Laboratory chemistry, 2 [a]	1
Public speaking	1	Public speaking	1
English composition	3	English composition	3
Drawing, 6 [b]	2	Drawing, 6 [b]	2
Modern language	3	Modern language	2
Algebra	5	Solid geometry / Trigonometry	5
Military, 5 [a]	2½	Military, 5 [a]	2½
	19½		19½

Sophomore year.

Soils	2	Fertilizers	2
Soil laboratory, 2 [a]	1	Animal breeding	2
General biology	2	Stock judging, 2 [a]	1
Laboratory biology, 2 [a]	1	General botany	2
Qualitative analysis, 8 [a]	4	Laboratory botany, 4 [a]	2
History of education	3	History of education	2
English	1	Qualitative analysis, 8 [a]	4
Wood shop work, 4 [a]	2	Principles of fruit growing	2
Physical training	⅔	Forge work [a]	2
Elective work	(?)	Physical training	⅔
	16⅔		19⅔

Junior year.

Agricultural engineering, 4 [a]	2	Farm crops	2
Animal breeding	2	Laboratory farm crops, 2 [a]	1
Stock judging, 2 [a]	1	Vegetable gardening	2
Physiology	2	Handicraft, 4 [a]	2
General methodology	3	Child study	3
Pomology	2	Veterinary science	2
Laboratory pomology, 2 [a]	1	School gardening, 3 [b]	1
Modern language	3	Modern language	2
Physical training	⅔	Physical training	⅔
Elective work	(?)	Elective work	(?)
	16⅔		15⅔

Senior year.

Animal breeding	2	Dairying	2
Biological chemistry	5	Laboratory dairying, 3 [a]	1⅓
Agricultural botany	2	Agricultural chemistry	5
Laboratory agricultural botany, 2 [a]	1	Entomology	2
Landscape gardening	2	Laboratory entomology, 4 [a]	2
Physics	5	Veterinary science	2
Elective work	(?)	Bacteriology	2
		General forestry	2
		Laboratory physics, 4 [a]	2
	17		20⅓

[a] Two hours count as one.

[b] Three hours count as one.

NORTH CAROLINA COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

The North Carolina College of Agriculture and the Mechanic Arts is now providing a one-year normal course in agriculture, the following announcement of which will appear in the next catalogue of the college:

One-year normal course in agriculture, North Carolina College of Agriculture and the Mechanic Arts.

Subject.	Periods a week—		
	First term.	Second term.	Third term.
Methods of teaching agriculture	2	2	2
Agriculture (general)	3	3	3
Horticulture	3	3	3
Animal husbandry	3	3	3
Dairying	5		
Diseases of live stock		5	
Botany	3		
Poultry		3	3
Entomology			2
Agricultural literature	1	1	1

Electives in college departments, e. g., agricultural chemistry, land surveying, physical and physical laboratory, drawing, and others.

NORTH DAKOTA AGRICULTURAL COLLEGE.

The College of Agriculture in North Dakota offers a "teachers' course," described as follows (1907–8):

Under the provisions of the "Nelson law" enacted by Congress in 1907 the following course is offered for the training of teachers, fitting them to teach the elements of mechanic arts and agriculture. It is also the aim of this course to provide the three terms' work in pedagogy which graduates must have in order to benefit by the statute entitling them to a State certificate on their diplomas. To the many students who frequently have to turn to teaching temporarily before completing their studies, this line of work will be found very helpful.

During the past three years regular work has been given in nature study and elements of agriculture in order to meet the rapidly increasing demand for rural teachers able to instruct in these subjects. In addition opportunity was given to review all subjects required for first and second grade certificates. As there was no desire to duplicate the courses of the normal schools or to enter on their field of pedagogy, the work was neither emphasized nor given prominence.

The new law, however, has marked out a definite field for agricultural colleges in the training of teachers and given them a mission in harmony with their general plan and purpose. In order to fit teachers to teach elements of mechanic arts and agriculture and fill positions in common, village, or city schools, it has become necessary to add another year's work to the course as outlined heretofore. The units constituting this additional year are all, with the exception of the history of education, of a technical nature, and fall either under the head of mechanic arts or agriculture, or the pedagogy of these branches.

The entering student is expected to have had eighth grade or one year's high school training. In addition to a thorough training in elementary subjects, there is required a course in elementary agriculture taught by the professor of agriculture. The course covers three years. The agriculture is as follows:

Teachers' Agriculture II.—Agricultural physics, fall term.
Teachers' Agriculture III.—Agronomy, winter term.
Teachers' Agriculture IV.—Animal husbandry, with laboratory, spring term.
Teachers' Agriculture V.—Horticulture, afternoon work, spring term.

Following is the full schedule of the teachers' course at the North Dakota College:

First year.

Fall.	Winter.	Spring.
Grammar, 8 a. m. Civics, 9 a. m. Reading, 10 a. m. Arithmetic, 11 a. m. Nature study, 3 to 5 p. m.	Physiology, 8 a. m. United States history, 9 a. m. Geography, 10 a. m. Grammar, 11 a. m. Elements of agriculture I, 3 to 5 p. m.	Grammar, 8 a. m. United States history, 9 a. m. Theory and practice, 10 a. m. Formation of soils, 11 a. m. Nature study, 3 to 5 p. m.

Second year.

Psychology, 8 a. m. Elements of chemistry, 9 a. m. ——, 10 a. m. Zoology, 11 a. m. Chemical laboratory, 2 to 5 p. m. Zoology, 2 to 5 p. m.	——, 8 a. m. Physics I, 9 a. m. Algebra I, 10 a. m. Physical geography, 11 a. m. Physics laboratory, 2 to 5 p. m.	History of education, 8 a. m. Physics II, 9 a. m. Algebra II, 10 a. m. English III, 11 a. m. Physics laboratory, 2 to 5 p. m.

Third year.

Manual training I, 8 a. m. Philosophy of education, 9 a. m. Algebra III, 10 a. m. Elements of agriculture II, 11 a. m. Shop (manual training IV), p. m.	Geometry I, 8 a. m. Manual training II, 9 a. m. Methods, 10 a. m. Elements of agriculture III, 11 a. m. Horticulture, 2 to 5 p. m.	Geometry II, 8 a. m. Manual training III, 9 a. m. Botany II, 10 a. m. Elements of agriculture IV, 11 a. m. Botany, 2 to 5 p. m. Horticulture, 2 to 5 p. m. Agriculture, 3 to 5 p. m.

CONNECTICUT AGRICULTURAL COLLEGE.

The Connecticut Agricultural College has for several years offered a two-year course of preparation for the special teaching of nature study in the public schools. The course is offered to graduates of high schools and to those who have had the first two years of their regular course in agriculture or in home making. This course "for rural school teaching" includes much work in agricultural subjects, selected from the regular courses in the college. It is intended to be supplemented by the work for teachers in the summer school, and by one year in a good normal school.

WASHINGTON (STATE) AGRICULTURAL COLLEGE.

In addition to the regular courses in the college at Pullman, Washington, courses are offered in education, specially intended to train teachers in methods. Whenever a student expresses a desire to engage in school teaching, he is encouraged to elect at least two courses in the department of education. One of these courses is "the principles of education," the other "methods of teaching agriculture." The latter is taught largely by the department of agriculture itself.

The above examples constitute the only instances known to the writer of agricultural colleges, or agricultural departments of colleges, in the United States that have actually put pedagagical courses or departments into operation, although other colleges or departments are each cooperating more or less with the education department of the university or college of which it is a part. Several of the colleges of agriculture are now considering the establishing of education courses. It is probable that such courses will constitute the most marked departure in agricultural college work in the immediate future. As yet the whole subject is in a formative and experimental stage. These colleges have a very large and varied constituency, and they properly represent all the phases of country life. It is incumbent on them to reach directly the educational phase, and it is incumbent on the people to see that they are able to enter this field, for this is a necessary condition to the evolution of the public schools.

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From advance sheets of U. S. Consular reports.

——— ——— Instruction in agriculture in rural schools of France. Report of the Commissioner for the year 1897–98, v. 2, p. 1614–1620.

——— Department of agriculture. Office of experiment stations. The teaching of agriculture in the rural common schools. [Washington, Government printing office, 1904.] 20 p. 8°. (Circular of information no. 60.) Caption title.

This ninth report of the committee on methods of teaching agriculture of the association of American agricultural colleges and experiment stations was presented to the convention of the association held at Des Moines, Iowa, November 1–3, 1904. For previous reports see U. S. Dept. Agr. Office of experiment stations. Bulletins 41, p. 57; 49, p. 29; 65, p. 79; 76, p. 39; 99, p. 86; 115, p. 59; 123, p. 45; 142, p. 63, and Circulars 32, 37, 39, 41, 45, 49, and 55.

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UNITED STATES BUREAU OF EDUCATION
BULLETIN, 1908: NO. 2 WHOLE NUMBER 385

LIST OF PUBLICATIONS

OF THE

UNITED STATES BUREAU OF EDUCATION

1867-1907

WASHINGTON
GOVERNMENT PRINTING OFFICE
1908

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LETTER OF TRANSMITTAL.

Department of the Interior,
Bureau of Education,
Washington, May 13, 1908.

Sir: I have the honor to transmit herewith a list of publications of the United States Bureau of Education for the years 1867 to 1907, prepared under the direction of the present librarian of the Bureau, and to recommend that it be published as one of the issues of the Bulletin of this Office.

This list is intended to make the publications of the Bureau better known and to facilitate their use. It should be of service to librarians and to students of special educational problems. I am particularly desirous that so far as possible complete sets of the serial publications of this Office should be found in all of the larger reference libraries, in order that they may be made as widely and immediately useful as they can be made in all parts of the country. This publication will undoubtedly further such distribution and use of the documents referred to, and will answer many of the special inquiries which come from time to time to this Office.

While many of these publications are out of print, it not infrequently happens that additional copies of such numbers are received at the library of the Bureau from various sources and so become available for redistribution. In view of such experience it has not been thought best to designate any of these publications as definitely "out of print." In a few instances, however, not even a single copy is to be found in this library. All such issues are indicated by an asterisk (*).

A more detailed index of the Annual Reports of the Commissioner of Education is now in preparation.

Very respectfully,

Elmer Ellsworth Brown,
Commissioner.

The Secretary of the Interior.

LIST OF PUBLICATIONS OF THE UNITED STATES BUREAU OF EDUCATION 1867-1907.[a]

I.—ANNUAL STATEMENTS OF THE COMMISSIONER.

1. 1887 (Dawson) Washington, 1887. 26 p. **328**
—. 1888 No statement issued.
2. 1888–9 (Dawson) Washington, 1889. 19 p. **327**
3. 1890 (Harris) Washington, 1890. 17 p. **168**
4. 1891 (Harris) Washington, 1891. 21 p. **180**
5. 1892 (Harris) Washington, 1892. 21 p. **189**
6. 1893 (Harris) Washington, 1893. 25 p. **204**
7. 1894 (Harris) Washington, 1894. 29 p. **213**
8. 1895 (Harris) Washington, 1895. 27 p. **219**
9. 1896 (Harris) Washington, 1896. 31 p. **230**
10. 1897 (Harris) Washington, 1897. 35 p. **235**
11. 1898 (Harris) Washington, 1898. 32 p. **245**
12. 1899 (Harris) Washington, 1899. 47 p. **259**
13. 1900 (Harris) Washington, 1900. 49 p. **266**
14. 1901 (Harris) Washington, 1901. 45 p. **277**
15. 1902 (Harris) Washington, 1902. 41 p. **285**
16. 1903 (Harris) Washington, 1903. 39 p. **333**
17. 1904 (Harris) Washington, 1904. 39 p. **344**
18. 1905 (Harris) Washington, 1905. 48 p. **351**
19. 1906 (Brown) Washington, 1906. 42 p. **362**
20. 1907 (Brown) Washington, 1907. 18 p. **378**

II.—ANNUAL REPORTS.

21. 1867–68 (Barnard) Washington, 1868. xl, 865 p. **1**

Official circulars and documents are appended to a few copies of this report and not to the entire edition. The report without the circulars was also printed as 40th Cong., 2d session. House ex. doc. 299.

Separates.

22. *Circular. **1–1**

CONTENTS: [Plan of monthly circular.]—Education, a national interest: memorial of state and city superintendents of schools.—An act to establish a department of education.—Schedule of information sought by the Commissioner. (Official circular no. 1.)

[a] The serial number precedes each entry; the publication number (in heavy-faced type) follows the entry. Publications should be ordered by publication number. Starred publications (*) are not found in the library of the Bureau.

Separates, 1867–68—Continued.

23. *Circular respecting plan of publication. **1–2**

CONTENTS: [Plan of publication.]—The American journal of education, documentary history.—Classified index to Barnard's American journal of education V. 1–16.—Education, a national interest: 1. Historical development; 2. Speech of James A. Garfield on a bill "To establish a national Bureau of education." (Official circular no. 2.)

24. [Educational land policy of the United States,] August 1867, 78 p. (Official circular no. 3.) **1–3**

Varies slightly from the original.

25. [Constitutional provision respecting education in each state,] 79–124 p. (Official circular 4–5.) **1–4**

—. Same. Supplement 125–136 p. ——

26. *[National land grants for educational purposes. Supplement.] State colleges and schools of science applied to agriculture and the mechanic arts. 129–310 p. (Official circular no. 6.) **1–5**

27. *The state and education and systems of public instruction. 311–368 p. (Official circular no. 7.) **1–6**

28. Education of girls. 369–400 p. (Official circular no. 8.) **1–7**

—. Report on female education. 367–384 p. (Official circular no. 8.) ——

29. Circular respecting academies and other institutions of secondary education. 401–432 p. (Official circular no. 9.) **1–8**

30. [*Academies and secondary education; secondary education in Prussia.] 433–522 p. (Official circular no. 10.) **1–9**

31. *School architecture. Part II. Plans for graded schools 1868. 513–648 p. (Official circular no. 11.) **104**

—. Report on school architecture and plans for graded schools; by the Commissioner of education. Washington, 1870. 513–648 p. (Official circular no. 11.) ——

—. Same. Washington, 1871. 513–648 p. (Official circular no. 11.) ——

32. [*State normal schools, and other institutions for the professional training of teachers.] 649–820 p. (Official circular no. 12.) **1–10**

33. *August, 1868. 8, ix–lx p. **1–11**

CONTENTS: Letter to editors and publishers of newspapers.—Educational meetings in August, 1868.—Plan of publication adopted by the Commissioner.—Circular respecting reports and documents for 1868.—Contents of special report on public schools in the District of Columbia and the principal cities of the U. S.—Index to subjects discussed in general report and documents.—Report of Commissioner of education, 1867–68, etc. (Official circular no. 13.)

34. What is education? Opinions of eminent men. Washington, 1870. 16 p. **1–12**

1869 No report issued.

35. 1870 (Eaton) Washington, 1870. 579 p. **3**

Printed also as 41st Cong. 3d session. House ex. doc. 1, pt. 4.

36. 1871 (Eaton) Washington, 1872. 715 p. **4**

Printed also as 42d Cong. 2d session. House ex. doc. 1, pt. 5.

Separate, 1871.

37. Report on the national schools of science; by D. C. Gilman. Washington, 1872. 20 p. 314

38. 1872 (Eaton) Washington, 1873. lxxxviii, 1018 p. 5
Printed also as 42d Cong. 3d sess. House ex. doc. 1, pt. 5.

39. 1873 (Eaton) Washington, 1875. clxxviii, 870 p. 6
Printed also as 43d Cong. 1st sess. House ex. doc. 1, pt. 5.

40. 1874 (Eaton) Washington, 1875. clii, 935 p. 7
Printed also as 43d Cong. 2d sess. House ex. doc. 1, pt. 5.

41. 1875 (Eaton) Washington, 1876. clxxiii, 1016 p. 8
Printed also as 44th Cong. 1st sess. House ex. doc. 1, pt. 5.

42. 1876 (Eaton) Washington, 1878. ccxiii, 942 p. 9
Printed also as 44th Cong. 2d sess. House ex. doc. 1, pt. 5.

Separates.

43. The study of Anglo-Saxon by F. A. March. Washington, 1876? 475–579 p. 320
Cover-title.

44. Latin pronunciation; by W. G. Richardson. Washington, 1876? 484–497 p. 321
Cover-title.

45. The pronunciation of Greek in this country; by James R. Boise. Washington, 1876? 480–483 p. 322
Cover-title.

46. 1877 (Eaton) Washington, 1879. ccvi, 644 p. 10
Printed also as 45th Cong. 2d session. House ex. doc. 1, pt. 5.

47. 1878 (Eaton) Washington, 1880. ccl, 730 p. 11
Printed also as 45th Cong. 3d session. House ex. doc. 1, pt. 5.

48. 1879 (Eaton) Washington, 1881. ccxxx, 757 p. 12
Printed also as 46th Cong. 2d session. House ex. doc. 1, pt. 5.

49. 1880 (Eaton) Washington, 1882. cclxii, 914 p. 13
Printed also as 46th Cong. 3d session. House ex. doc. 1, pt. 5.

50. 1881 (Eaton) Washington, 1883. cclxxvii, 840 p. 14
Printed also as 47th Cong. 1st session. House ex. doc. 1, pt. 5.

51. 1882–83 (Eaton) Washington, 1884. ccxciii, 872 p. 15
Printed also as 47th Cong. 2d session. House ex. doc. 1, pt. 5.

52. 1883–84 (Eaton) Washington, 1885. cclxxi, 943 p. 16
Printed also as 48th Cong. 2d session. House ex. doc. 1, pt. 5.

53. 1884–85 (Eaton) Washington, 1886. ccxvii, 848. 17
Printed also as 49th Cong. 1st session. House ex. doc. 1, pt. 5.

Separate.

54. Statistics of public libraries in the United States. Washington, 1886. ccxxix–ccxxx, 691–782 p. 143

55. 1885–86 (Dawson) Washington, 1887. xxi, 792 p. 18
Printed also as 49th Cong. 2d session. House ex. doc. 1, pt. 5.

56. 1886–87 (Dawson) Washington, 1888. 1170 p. 19
Printed also as 50th Cong. 1st session. House ex. doc. 1, pt. 5.

57. 1887–88 (Dawson) Washington, 1889. 1209 p. 20
Printed also as 50th Cong. 2d session. House ex. doc. 1, pt. 5.

58. 1888–89 (Harris) Washington, 1891. V. 1, ix., 669 p. **181**

—. Same. V. 2, vi, 67–1669 p. **182**

Printed also as 51st Cong. 1st session. House ex. doc. 1, pt. 5.

Separates.

59. Part I of the Report of the Commissioner of education for the year 1888–89 with the Commissioner's introduction and table of contents of Parts I, II, III. Special edition. Washington, 1891. lix, 274 p. **183**

60. Chapter 24. Report of the general agent of education in Alaska for the year 1888–89; [by] Sheldon Jackson. Washington, 1891. 753–764 p. **184**

Cover-title.

61. Chapter 35. Publications of the United States Bureau of education from 1867 to 1890 with subject-index. Washington, 1891. 1453–1551 p. **185**

62. 1889–90 (Harris) Washington, 1893. V. 1, xxvii, 601 p. **198**

—. Same. V. 2, vii, 603–1724 p. **199**

Printed also as 51st Cong. 2d session. House ex. doc. 1, pt. 5.

Separates.

63. V. 2, Chapter 17. Education in Alaska, 1889–90; [by] Sheldon Jackson. 1245–1300 p. **191**

64. 1890–91 (Harris) Washington, 1894. V. 1, xxx, 654 p. **207**

—. Same. V. 2, 655–1549 p. **208**

Printed also as 52d Cong. 1st session. House ex. doc. 1, pt. 5.

Separates.

65. Chapters 1–4. Report on legal education, prepared by a committee of the American bar association and the U. S. Bureau of education. Washington, 1893. 207 p. **190**

Advance sheets of Chapters 13–16 of Annual report 1890–91, p. 376–578.

66. Chapter 24. Education in southwestern Virginia, 1890–91; by A. D. Mayo. Washington, 1894. 881–921 p. **206**

67. Chapter 25. Education in Alaska, 1890–91; [by] Sheldon Jackson. Washington, 1893. 923–960 p. **203**

68. 1891–92 (Harris) Washington, 1894. V. 1, xxviii, 636 p. **211**

—. Same. V. 2, v, 637–1294 p. **212**

Printed also as 52d Cong. 2d session. House ex. doc. 1, pt. 5.

Separates.

69. *Chapter 4. Classification in graded schools. 1892. **240**

70. Chapter 28. Education in Alaska, 1891–92; [by] Sheldon Jackson. Washington, 1894. 873–892 p. **214**

71. 1892–93. (Harris) Washington, 1895. V. 1, lx., 1224 p. **217**

—. Same. V. 2, v, 1225–2153 p. **218**

Printed also as 53d Cong. 2d sess. House ex. doc. 1, pt. 5.

Separates.

72. Part II, Chapters 1–8. Education at the World's Columbian exposition, including reports and comments by American and foreign educators and delegates. Washington, 1896. 423–690 p. **223**

73. Part II, Chapter 9. Papers prepared for the World's library congress held at the Columbian exposition; ed. by Melvil Dewey. Washington, 1896. 691–1014 p. **224**

74. Part II, Chapter 10. Notes on education at the Columbian exposition; by John Eaton. Washington, 1896. 1015–1224 p. **225**

Separates, 1892–93—Continued.

75. Part III, Chapter 9. Education in Alaska, 1892–93; [by] Sheldon Jackson. Washington, 1895. 1705–1748 p. 220
Cover-title.

76. 1893–94 (Harris) Washington, 1896. V. 1, xlvii, 1061 p. 221

—. Same. V. 2, 1063–2290 p. 222
Printed also as 53d Cong. 3d session. House ex. doc. 1, pt. 5.

Separates.

77. *Chapter 9. Digest of the laws regulating the administration, character and finances of the public school systems of the states of the Union. By Wellford Addis. 1898. 237

78. Chapter 15. Educational values; [by W. T. Harris.] Washington, 1904. 617–638 p. 250
Cover-title.

79. Part II, Chapter 12. Education in Alaska, 1893–94; [by] Sheldon Jackson. Washington, 1896. 1451–1492 p. 221–1

80. Part II, Chapter 13. Preliminary list of American learned and educational societies; by Stephen B. Weeks. Washington, 1896. 1493–1661 p. 221–2
Cover-title.

81. Part II, Chapters 14–15. Education and patho-social studies. Washington, 1896. 1663–1699, 573–590 p. 226
[Includes also Chapter 18, from Report for 1889–90.]

82. 1894–95 (Harris) Washington, 1896. V. 1, lvii, 1152 p. 227

—. Same. V. 2, v, 1153–2314 p. 228
Printed also as 54th Cong. 1st session. House ex. doc. 5.

Separates.

83. Public high schools and private secondary schools in the United States. Washington, 1896. 19–105, 1890–2113 p. 227–1

84. Chapter 10. Education in central Europe. Washington, 1896. 321–473 p. 227–2

85. Chapters 19–21. Chautauqua; [by Herbert B. Adams.] Pensions for teachers. Coeducation, compulsory attendance, American students in foreign universities, continuation and industrial schools. Washington, 1896. 977–1125 p. 227–3

86. Chapter 33. Education in Alaska, 1894–95; [by] Sheldon Jackson. Washington, 1896. 1425–1455 p. 231

87. 1895–96 (Harris) Washington, 1897. V. 1, lxxv, 965 p. 233

—. Same. V. 2, vii, 967–2173 p. 234
Printed also as 54th Cong. 2d session. House doc. 5.

Separates.

88. Introductory statement of the Commissioner of education for the report of 1895–96. With statistics of common schools. Washington, 1897. lxxv p. 233–1

89. Chapter 1. Laws relating to city school boards; [by James C. Boykin.] Washington, 1897. 78 p. 233–2

90. Chapters 8–9. Statistics of libraries and library legislation in the United States. Washington, 1897. 339–599 p. 232

91. Chapter 12. Education in Mexico and Central America; [by F. F. Hilder.] Washington, 1897. 641–667 p. 233–3

92. Chapter 13. The fifth International prison congress; [by C. D. Randall.] Washington, 1897. 669–700 p. 233–4

93. Chapter 15. Commercial education in Europe, particularly in Austria, France, and Germany; [by Edmund J. James.] Washington, 1897. 721–837 p. 233–5

Separates, 1895–96—Continued.

94. Chapter 17. Horace Mann. Washington, 1897. 887–927 p. **233–6**

95. Chapter 18. Correlation of studies. Washington, 1897. 929–938 p. **233–7**

96. Chapter 19. Educational directory. Washington, 1897. 939–965 p. **233–8**

97. Chapter 20. Education in Sweden and Iceland. Washington, 1897. 967–1000 p. **233–9**

Cover-title.

98. Chapter 21. Typical institutions offering manual and industrial training; [compiled by James C. Boykin.] Washington, 1897. 1001–1152 p. **233–10**

Caption-title.

99. Chapter 22. Higher and secondary education in the United States as reported by Gabriel Compayré. Washington, 1897. 1153–1174 p. **233–11**

Cover-title.

100. Chapter 23. Mental fatigue in school. Washington, 1897. 1175–1198 p. **233–12**

Cover-title.

101. Chapter 24. Instruction in agriculture in Prussia and France. Washington, 1897. 1199–1213 p. **233–13**

Cover-title.

102. Chapter 25. Industrial education in Germany, Austria, and Switzerland. Washington, 1897. 1215–1231 p. **233–14**

Cover-title.

103. Chapter 26. Advancement and improvement of agriculture in Europe; [compiled by Wellford Addis.] Washington, 1897. 1233–1241 p. **233–15**

Cover-title.

104. Chapter 27. Colleges of agriculture and the mechanic arts; [compiled by Wellford Addis.] Washington, 1897. 1243–1297 p. **233–16**

Cover-title.

105. Chapter 28. The Bertillon system for suppressing crime; [by Wellford Addis.] Washington, 1897. 1299–1311 p. **233–17**

Cover-title.

106. Chapter 29. Current discussions. Washington, 1897. 1313–1342 p. **233–18**

Cover-title.

CONTENTS: I. What knowledge is of most worth? By Nicholas Murray Butler.—II. The relation of manual training and art education; by C. A. Bennett.—III. The aesthetic element in manual training; by Walter S. Goodnough.—IV. Limitations to artistic manual training; by C. R. Richards.—V. Some principles of decorative art; by W. H. Goodyear.—VI. The Olympic games of 1896.—VII. Ideals of educational work; by W. R. Harper.

107. Chapter 31. Art decorations in schoolrooms; [compiled by Stephen B. Weeks.] Washington, 1897. 1363–1411 p. **233–19**

Cover-title.

108. Chapter 32. List of foreign universities. Washington, 1897. 1413–1424 p. **233–20**

Cover-title.

Separates, 1895–96—Continued.

109. Chapter 33. Educational matters of interest in various states. Washington, 1907. 1425–1433 p. **233–21**
Cover-title.

110. Chapter 34. Report on education in Alaska; [by Sheldon Jackson.] Washington, 1897. 1435–1468 p. **236**
Cover-title.

111. Chapter 35. Necrology, 1895. Washington, 1897. 1469–1486 p. **233–22**
Cover-title.

112. Chapter 36. Statistics of city school systems. Washington, 1897. 1487–1553 p. **233–23**
Cover-title.

113. Chapter 37. Statistics of secondary schools. Washington, 1897. 1555–1865 p. **233–24**
Cover-title.

114. Chapter 38. Statistics of normal schools. Washington, 1897. 1867–1915 p. **233–25**
Cover-title.

115. Chapter 39. Statistics of higher education in the United States. Washington, 1897. 1917–2020 p. **233–26**
Cover-title.

116. Chapter 40. Statistics of professional and allied schools. Washington, 1897. 2021–2056 p. **233–27**
Cover-title.

117. Chapter 41. Statistics of commercial and business schools. Washington, 1897. 2059–2079 p. **233–28**
Cover-title.

118. Chapter 42. Education of the colored race. Washington, 1897. 2081–2115 p. **233–29**
Cover-title.

119. Chapter 43. Statistics of schools for the defective classes. Washington, 1897. 2117–2137 p. **233–30**
Cover-title.

120. Chapter 44. Statistics of reform schools. Elementary education in foreign countries. Washington, 1897. 2139–2151 p. **233–31**
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121. 1896–97 (Harris) Washington, 1898, V. 1, lxxx, 1136 p. **238**

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122. Introductory statement of the Commissioner of education for the Report of 1896–97. Washington, 1898. lxxx p. **238–1**

123. Chapter 1. Education in Great Britain and Ireland; [by Anna Tolman Smith.] Washington, 1898. 27 p. **238–2**
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124. Chapter 2. Education in France; [by Anna Tolman Smith.] Washington, 1898. 29–70 p. **238–3**
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125. Chapter 3. Education in Denmark; [by Frances Graham French.] Washington, 1898. 71–101 p. **238–4**
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126. Chapter 4. Education in Norway; [by Frances Graham French.] Washington, 1898. 103–123 p. **238–5**
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127. Chapter 5. Education in central Europe. Washington, 1898. 125–206 p. **238–6**
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128. Chapter 6. Commercial education in Europe. Washington, 1898. 207–231 p. **238–7**
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129. Chapter 7. Teaching of civics in Switzerland, France, and England. Washington, 1898. 233–266 p. **238–8**
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130. Chapter 8. Education in Greece; [by Daniel Quinn.] Washington, 1898. 267–347 p. **238–9**
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131. Chapter 9. Sunday schools; [by James H. Blodgett.] Washington, 1898. 349–425 p. **238–10**
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132. Chapter 10. The curriculum of the land-grant colleges; [compiled by Wellford Addis.] Washington, 1898. 427–456 p. **238–11**
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133. Chapter 11. College admission requirements. Washington, 1898. 457–613 p. **238–12**
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134. Chapter 13. Psychological tendencies; the study of imitation. Washington, 1898. 671–694 p. **238–13**
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135. Chapter 14. Discussion of educational topics; by President Francis A. Walker, of the Massachusetts institute of technology, with some account of his life. Washington, 1898. 695–714 p. **238–14**
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136. Chapter 16. Henry Barnard; by A. D. Mayo. Washington, 1898. 769–810 p. **238–15**
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137. Chapter 18. Entrance requirements for engineering colleges. Washington, 1898. 891–898 p. **238–16**
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138. Chapter 19. Early history of the kindergarten in St. Louis, Missouri. Washington, 1898. 899–922 p. **238–17**
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139. Chapter 20. Some recent contributions of biology, sociology and metallurgy to the curriculum of colleges endowed by the federal government for the benefit of agriculture and the mechanic arts; [by Wellford Addis.] Washington, 1898. 923–1080 p. **238–18**
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140. Chapter 21. Tennessee centennial and international exposition; [by J. C. Boykin.] Washington, 1898. 1081–1109 p. **238–19**
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141. Chapter 22. Educational directory. Washington, 1898. 1111–1136 p. **238–20**
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142. Chapter 23. Federal and state aid to higher education; [by Wellford Addis.] Washington, 1898. 1137–1164 p. **238–21**
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143. Chapter 24. First common schools of New England; [by George Gary Bush.] Washington, 1898. 1165–1186 p. **238–22**
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144. Chapter 25. The learned professions and social control; [by Wellford Addis.] Washington, 1898. 1187–1239 p. **238–23**
Cover-title.

145. Chapter 26. Eskimo vocabularies; [by Roger Wells and J. W. Kelly.] Washington, 1898. 1241–1275 p. **238–24**
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146. Chapter 27. Educational matters of interest in various states. Washington, 1898. 1277–1363 p. **238–25**
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147. Chapter 28. Foreign universities. Washington, 1898. 1365–1378 p. **238–26**
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148. Chapter 30. The teaching of geography in certain foreign countries. Washington, 1898. 1475–1493 p. **238–27**
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149. Chapter 31. Consular reports on educational topics. Washington, 1898. 1495–1505 p. **238–28**
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150. Chapter 32. Miscellaneous educational topics. Washington, 1898. 1507–1522 p. **238–29**
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151. Chapter 34. The growth of Toronto children; by Franz Boas. Washington, 1898. 1541–1599 p. **238–30**
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152. Chapter 35. Education in Alaska, 1896–97; [by] Sheldon Jackson. Washington, 1898. 1601–1646 p. **246**
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153. Chapter 36. Statistics of higher education in the United States. Washington, 1898. 1647–1755 p. **238–31**
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154. Chapter 37. Agricultural and mechanical colleges; [by Wellford Addis.] Washington, 1898. 1757–1771 p. **238–32**
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155. Chapter 38. Statistics of professional and allied schools. Washington, 1898. 1773–1817 p. **238–33**
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156. Chapter 39. Statistics of normal schools. Washington, 1898. 1819–1871 p. **238–34**
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157. Chapter 40. Statistics of secondary schools. Washington, 1898. 1873–2166 p. **238–35**
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158. Chapter 41. Statistics of city school systems. Washington, 1898. 2167–2255 p. **238–36**
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159. Chapter 42. Statistics of commercial and business schools. Washington, 1898. 2257–2277 p. **238–37**
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160. Chapter 43. Manual and industrial training. Washington, 1898. 2279–2294 p. **238–38**
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161. Chapter 45. Statistics of schools for the defective classes. Washington, 1898. 2335–2355 p. **238–39**
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162. Chapter 46. Statistics of reform schools. Washington, 1898. 2357–2373 p. **238–40**
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163. 1897–98 (Harris) Washington, 1899. V. 1, cxx, 1280 p. **257**
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164. Introductory statement, with statistics of state school systems. Washington, 1899. xl–xcvii p. **257–1**
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165. Courses of study in medical schools. Washington, 1899. xclx–cxx p. **257–2**
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166. Chapter 1. History of the German school system; [by Dr. E. Noble.] Washington, 1899. 82 p. **257–3**
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167. Chapter 2. Summer schools in England, Scotland, France, and Switzerland; by Herbert B. Adams. Washington, 1899. 83–131 p. **257–4**
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168. Chapter 3. Education in Great Britain and Ireland; [by Anna Tolman Smith.] Washington, 1899. 133–167 p. **257–5**
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169. Chapter 4. Education in Canada; by Anna Tolman Smith. Washington, 1899. 169–187 p. **257–6**
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170. Chapter 5. Public education in Australia, New Zealand, and Tasmania; by Anna Tolman Smith. Washington, 1899. 189–214 p. **257–7**
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171. Chapter 6. Education in central Europe. Washington, 1899. 215–256 p. **257–8**
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172. Chapter 7. Means for spreading hygienic knowledge among the people; [by Leo Burgerstein.] Washington, 1899. 257–268 p. **257–9**
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173. Chapter 8. Report on the European textile schools; by C. P. Brooks. Washington, 1899. 269–293 p. **257–10**
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174. Chapter 9. International congress on technical education; by C. P. Brooks. Washington, 1899. 295–338 p. **257–11**
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175. Chapter 10. Education in India; by W. E. DeRiemer. Washington, 1899. 339–354 p. **257–12**
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176. Chapter 11. The organization and reconstruction of state systems of common-school education in the north Atlantic states from 1830 to 1865; by A. D. Mayo. Washington 1899. 355–486 p. **257–13**
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177. Chapter 12. Physical training; by Edward Mussey Hartwell. Washington, 1899. 487–589 p. **257–14**
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178. Chapter 13. Notes on the history of foreign influence upon education in the United States; by B. A. Hinsdale. Washington, 1899. 591–629 p. **257–15**
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179. Chapter 15. The public school and the public library. Washington, 1899. 673–692 p. **257–16**
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180. Chapter 16. Education in France; prepared by Anna Tolman Smith. Washington, 1899. 693–788 p. **257–17**
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181. Chapter 17. Notes on the history of American text-books on arithmetic; by James M. Greenwood. Washington, 1899. 789–868 p. **257–18**
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182. Chapter 20. Education in Cuba, Porto Rico, and the Philippines; by R. L. Packard. Washington, 1899. 909–983 p. **257–19**
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183. Chapters 21–25. Experimental study of children, including anthropometrical and psycho-physical measurements of Washington school children and a bibliography; by Arthur MacDonald. Washington, 1899. 987–1204, 1281–1390 p. **248**

184. Chapter 22. Education in the Argentine Republic, Uruguay, and Brazil; [by F. F. Hilder.] Washington, 1899. 1205–1233 p. **257–20**
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185. Chapter 23. Dental education in the United States. Washington, 1899. 1235–1254 p. **257–21**
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186. Chapter 24. Educational directory. Washington, 1899. 1255–1280 p. **257–22**
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187. Chapter 26. Report of the committee of twelve of the Modern language association of America. Washington, 1899. 1391–1433 p. **257–23**
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188. Chapter 27. University types and ideals. Washington, 1899. 1435–1460 p. **257–24**
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189. Chapter 28. State supervision of degree-conferring institutions. Washington, 1899. 1461–1476 p. **257–25**
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190. Chapter 29. Report on school statistics, made by a committee of the Department of superintendence of the National educational association. Washington, 1899. 1477–1488 p. **257–26**
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191. Chapter 30. Medical inspection of schools. Washington, 1899. 1489–1511 p. **257–27**
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192. Chapter 31. Bible study in American colleges. Washington, 1899. 1513–1538 p. **257–28**
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193. Chapter 32. The Bible in the public schools and state universities. Washington, 1899. 1539–1574 p. **257–29**
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194. Chapter 33. Methods of instruction in agriculture. Washington, 1899. 1575–1616 p. **257–30**
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195. Chapter 34. Extracts from consular reports. Washington, 1899. 1623–1658 p. **257–31**
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196. Chapter 35. Legal provisions of the various states relating to teachers' examinations and certificates; [by James H. Blodgett.] Washington, 1899. 1659–1691 p. **257–32**
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197. Chapter 36. Current questions. Washington, 1899. 1693–1713 p. **257–33**
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198. Chapter 39. List of foreign universities. Washington, 1899. 1741–1751 p. **257–34**
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199. Chapter 40. Education in Alaska; [by Sheldon Jackson.] Washington, 1899. 1753–1771 p. **257–35**
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200. Chapter 41. Eighth annual report of the introduction of domestic reindeer into Alaska; [by Sheldon Jackson.] Washington, 1899. 1773–1796 p. **257–36**
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201. Chapter 42. Institutions for higher education in the United States. Washington, 1899. 1797–1901 p. **257–37**
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202. Chapter 44. Agricultural and mechanical colleges; [compiled by Wellford Addis.] Washington, 1899. 1969–1990 p. **257–38**
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203. Chapter 45. Statistics of normal schools. Washington, 1899. 1991–2041 p. **257–39**
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204. Chapter 46. Statistics of secondary schools. Washington, 1899. 2043–2336 p. **257–40**
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205. Chapter 47. Statistics of city school systems; [by James C. Boykin.] Washington, 1899. 2337–2418 p. **257–41**
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206. Chapter 48. Manual and industrial training. Washington, 1899. 2419–2440 p. **257–42**
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207. Chapter 49. Statistics of commercial education in the United States. Washington, 1899. 2441–2477 p. **257–43**
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208. Chapter 50. Education of the colored race. Washington, 1899. 2479–2507 p. **257–44**
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209. Chapter 51. Statistics of schools for the defective classes. Washington, 1899. 2509–2527 p. **257–45**
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210. Chapter 52. Statistics of reform schools. Washington, 1899. 2529–2535 p. **257–46**
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211. Chapter 53. Public and private kindergartens. Washington, 1899. 2537–2579 p. **257–47**
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212. Chapter 54. Necrology of 1897. Washington, 1899. 2581–2611 p. **257–48**
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213. Chapter 55. Statistics of education in foreign countries. Washington, 1899. 2612–2619 p. **257–49**
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214. 1898–99 (Harris) Washington, 1900. V. 1, xcii, 1248 p. **260**

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215. The Commissioner's introductory statement, with statistics of state school systems. Washington, 1900. ix–xcii. **260–1**
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216. Chapter 1. Education in Great Britain and Ireland. Washington. 1900. 65 p. **260–2**
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217. Chapter 2. Education in Australasia. Washington, 1900. 67–87 p. **260–3**
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218. Chapter 3. Education in Belgium. Washington, 1900. 89–123 p. **260–4**
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219. Chapter 4. Education in central Europe. Washington, 1900. 125–235 p. **260–5**
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220. Chapter 5. Education in Sweden. Washington, 1900. 237–257 p. **260–6**
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221. Chapter 6. State education in Japan; [by Robert E. Lewis.] Washington, 1900. 259–302 p. **260–7**
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222. Chapter 7. Classification and promotion of pupils. Washington, 1900. 303–356 p. **268**
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223. Chapter 8. The development of the common school in the western states from 1830 to 1865; [by A. D. Mayo.] Washington, 1900. 357–450 p. **260–8**
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224. Chapter 9. The Royal normal college for the blind, London, together with incidents in the life of its founder and president, Dr. F. J. Campbell, a native of Tennessee, U. S. A., by John Eaton. Washington, 1900. 451–470 p. **260–9**
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225. Chapter 10. Minor mental abnormalities in children as occasioned by certain erroneous school methods; [by William O. Krohn.] Washington, 1900. 471–478 p. **260–10**
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226. Chapter 11. Miscellaneous educational topics. Washington, 1900. 479–685 p. **269**
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227. Chapter 12. The study of art and literature in schools; [by W. T. Harris.] Washington, 1900. 687–706 p. **260–11**
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228. Chapter 13. The Western literary institute and college of professional teachers; [by B. A. Hinsdale and Mary L. Hinsdale.] Washington, 1900. 707–745 p. **260–12**
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229. Chapter 14. The United States Naval academy at Annapolis, its organization and methods of training; by Edward S. Holden. Washington, 1900. 747–780 p. **260–13**
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230. Chapter 15. Notes on the history of American text-books on arithmetic; [by James M. Greenwood and Artemas Martin.] Washington, 1900. 781–837 p. **260–14**
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231. Chapter 16. Public education in Italy and its reform; [by Alexander Oldrini.] Washington, 1900. 839–870 p. **260–15**
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232. Chapter 17. Educational training for railway service; [by J. Shirley Eaton.] Washington, 1900. 871–955 p. **260–16**
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233. Chapter 18. University extension in Great Britain; [by Herbert B. Adams.] Washington, 1900. 957–1055 p. **260–17**
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234. Chapter 19. Bird's-eye view of the St. Louis public school system in 1880; [by W. T. Harris.] Washington, 1900. 1057–1066 p. **260–18**
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235. Chapter 21. Education in France. Washington, 1900. 1085–1138 p. **260–19**
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236. Chapter 22. Confederate text-books, a preliminary bibliography; [by Stephen B. Weeks.] Washington, 1900. 1139–1155 p. **260–20**
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237. Chapters 23–24. List of educational periodicals in the United States. Washington, 1900. 1157–1187 p. **260–21**
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238. Chapter 25. Applied (or economic) geography. Washington, 1900. 1189–1208 p. **260–22**
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239. Chapter 26. Swedish gymnastics; [by Theodore Hough.] Washington, 1900. 1209–1226 p. **260–23**
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240. Chapter 27. The future of the colored race. Washington, 1900. 1227–1248 p. **260–24**
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241. Chapter 28. Education and crime. Washington, 1900. 1249–1343 p. **260–25**
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242. Chapter 29. Education in Canada. Washington, 1900. 1345–1365 p. **260–26**
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243. Chapter 30. William Preston Johnston's work for a new South; [by A. D. Mayo.] Washington, 1900. 1367–1371 p. **260–27**
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244. Chapters 31–32. Education in Alaska, 1898–99; [by] Sheldon Jackson. Washington, 1900. 1373–1432 p. **267**

245. Chapter 33. Consular reports. Washington, 1900. 1433–1457 p. **260–28**
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246. Chapter 34. List of foreign universities. Washington, 1900. 1459–1473 p. **260–29**
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247. Chapter 35. Current questions. Washington, 1900. 1475–1490 p. **260–30**

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CONTENTS: Teachers' salaries in cities.—Teachers' pensions and annuities.—The teaching force in England and Wales.—Foreign students in German universities.—Women students in Prussian universities.—Causes of mortality among teachers.—A new history of education.

248. Chapter 36. Statistics of city school systems. Washington, 1900. 1491–1558 p. **260–31**

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249. Chapter 37. Institutions for higher education. Washington, 1900. 1559–1674 p. **260–32**

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250. Chapter 38. Statistics of professional and allied schools. Washington, 1900. 1675–1735 p. **273**

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251. Chapter 39. Agricultural and mechanical colleges. Washington, 1900. 1737–1788 p. **260–33**

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252. Chapter 40. Statistics of normal schools. Washington, 1900. 1789–1842 p. **260–34**

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253. Chapter 42. Manual and industrial training. Washington, 1900. 2139–2162 p. **260–35**

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254. Chapter 44. Education of the colored race. Washington, 1900. 2201–2225 p. **260–36**

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255. Chapter 45. Statistics of reform schools. Washington, 1900. 2227–2233 p. **260–37**

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256. Chapter 46. Statistics of schools for the defective classes. Washington, 1900. 2235–2255 p. **260–38**

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257. Chapter 47. Statistics of public kindergartens. Washington, 1900. 2257–2262 p. **260–39**

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258. Chapter 48. Contributions to the history of normal schools in the United States; [by M. A. Newell.] Washington, 1900. 2263–2470 p. **260–40**

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259. Chapter 49. Necrology for 1898. Washington, 1900. 2471–2496 p. **260–41**

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260. Chapters 50–51. Portable school buildings. Education in foreign countries. Washington, 1900. 2497–2509 p. **260–42**

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261. 1899–1900. (Harris) Washington, 1901. V. 1, lxxx, 1280 p. **275**

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262. The Commissioner's introductory statement, with statistics of state school systems. Washington, 1901. ix–lxxx p. **275–1**

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263. Chapter 1. Public education in British India. Washington, 1901. 43 p. **275–2**

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264. Chapter 2. The development of English secondary schools for boys; by Dr. Ph. Aronstein. Washington, 1901. 45–84 p. **275–3**

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265. Chapter 3. Truant schools. Washingon, 1901. 85–219 p. **275–4**

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266. Chapter 4. Education in Porto Rico; [by John Eaton.] Washington, 1901. 221–273 p. **275–5**

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267. Chapter 5. Educational extension in the United States; [by Herbert B. Adams.] Washington, 1901. 275–379 p. **275–6**

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268. Chapter 6. Some historical documents bearing upon common school education in Virginia and South Carolina previous to the Civil war. Washington, 1901. 381–426 p. **275–7**

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CONTENTS: 1. Proposed plan for the organization and support of common schools in Virginia; by Henry Ruffner.—2. Address of Henry A. Wise to his late constituents.—3. Letter of Dr. J. H. Thornwell to Governor Manning on public instruction in South Carolina (1853).

269. Chapter 7. The organization and development of the American common school in the Atlantic and central states of the South, 1830 to 1860; by A. D. Mayo. Washington, 1901. 427–561 p. **275–8**

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270. Chapter 8. Papers read at Chicago meeting of Department of superintendence, 1900. Washington, 1901. 563–602 p. **275–9**

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CONTENTS: 1. Status of education at the close of the century; by N. M. Butler.—2. Trail of the city superintendent; by Aaron Gove.—3. Obligations and opportunities of scholarship; by E. A. Alderman.—4. Alcohol physiology and superintendence; by W. O. Atwater.

271. Chapter 9. The rôle of the school-teacher in the struggle against alcoholism; [by A. Sluys.] Washington, 1901. 603–614 p. **275–10**

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272. Chapter 10. Readjustment of the collegiate to the professional course; [by Simeon E. Baldwin.] Washington, 1901. 615–628 p. **275–11**

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273. Chapter 11. Justification of the public high school; [by H. H. Morgan.] Washington, 1901. 629–642 p. **275–12**

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274. Chapter 12. Free high schools for rural pupils; [by Henry R. Corbett.] Washington, 1901. 643–662 p. **275–13**
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275. Chapter 13. Public libraries and public schools. Washington, 1901. 663–719 p. **275–14**
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276. Chapter 14. Education in central Europe. Washington, 1901. 721–894 p. **275–15**
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277. Chapter 15. Public play grounds and vacation schools. Washington, 1901. 895–904 p. **275–16**
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278. Chapter 16. The Old South work; [by Edwin D. Mead.] Washington, 1901. 905–921 p. **275–17**
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279. Chapter 17. Public, society and school libraries. Washington, 1901. 923–1165 p. **278**
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280. Chapter 18. Education in Great Britain and Ireland. Washington, 1901. 1167–1244 p. **275–18**
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281. Chapter 19. List of educational periodicals in the United States. Washington, 1901. 1245–1248 p. **275–19**
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282. Chapter 20. Educational directory. Washington, 1901. 1249–1275 p. **275–20**
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283. Chapter 22. Contributions to the history of the Hopkins grammar school, New Haven, Connecticut, 1660 to 1900; [compiled by H. K. Willard.] Washington, 1901. 1281–1296 p. **275–21**
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284. Chapter 23. The language question in Greece and some reflections suggested by it; [by Daniel Quinn.] Washington, 1901. 1297–1319 p. **275–22**
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285. Chapter 24. The legislative career of Justin S. Morrill; [by George W. Atherton.] Washington, 1901. 1321–1335 p. **275–23**
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286. Chapter 25. Miscellaneous educational topics. Washington, 1901. 1337–1387 p. **275–24**
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287. Chapter 26. Educational matters of interest in various states. Washington, 1901. 1389–1422 p. **275–25**
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288. Chapter 27. Consular reports. Washington, 1901. 1423–1450 p. **275–26**
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289. Chapter 28. Sociology at the Paris exposition of 1900; [by Lester F. Ward.] Washington, 1901. 1451–1593 p. 275–39
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290. Chapters 32–33. Education and reindeer in Alaska, 1899–1900; [by] Sheldon Jackson. Washington, 1901. 1733–1785 p. 279

291. Chapter 34. City school systems. Washington, 1901. 1787–1854 p. 275–27
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292. Chapter 35. Institutions for higher education. Washington, 1901. 1855–1957 p. 275–28
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293. Chapter 36. Statistics of professional and allied schools. Washington, 1901. 1959–2029 p. 284
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294. Chapter 37. Agricultural and mechanical colleges. Washington, 1901. 2031–2065 p. 275–29
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295. Chapter 38. Statistics of normal schools. Washington, 1901. 2067–2117 p. 275–30
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296. Chapter 39. Statistics of secondary schools. Washington, 1901. 2119–2436 p. 275–31
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297. Chapter 40. Manual and industrial training. Washington, 1901. 2437–2467 p. 275–32
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298. Chapter 41. Commercial and business schools. Washington, 1901. 2469–2499 p. 275–33
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299. Chapter 42. Education of the colored race. Washington, 1901. 2501–2531 p. 275–34
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300. Chapter 43. Statistics of reform schools. Washington, 1901. 2533–2539 p. 275–35
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301. Chapter 44. Schools for the defective classes. Washington, 1901. 2541–2562 p. 275–36
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302. Chapter 45. Statistics of public kindergartens. Washington, 1901. 2563–2568 p. 275–37
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303. Chapter 46. Current topics. Washington, 1901. 2569–2621. p. 275–38
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304. 1900–1901 (Harris) Washington, 1902. V. 1, cxii, 1216 p. 287

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305. Chapter 1. Education in central Europe. Washington, 1902. 128 p. **287–1**
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306. Chapter 2. A legislative history of the public school system of Ohio; [comp. by Mary L. Hinsdale.] Washington, 1902. 129–159 p. **287–2**
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307. Chapter 5. Educational pathology or self-government in schools. Washington, 1902. 235–262 p. **287–3**
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308. Chapter 6. International association for the advancement of science, arts, and education; [by Patrick Geddes.] Washington, 1902. 263–304 p. **287–4**
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309. Chapter 7. Educational training for railroad service. Washington, 1902. 305–323 p. **287–5**
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310. Chapter 8. From fundamental to accessory in the development of the nervous system and of movements. Washington, 1902. 325–344 p. **287–6**
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311. Chapter 9. Inhibition. Washington, 1902. 345–356 p. **287–7**
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312. Chapter 12. Letter as to establishment of a normal school in Virginia; by E. S. Joynes. Washington, 1902. 491–507 p. **287–8**
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313. Chapter 13. Education in the South; addresses delivered at the tenth annual meeting of the Southern educational association, held at Richmond, Virginia, December 27–29, 1900. Washington, 1902. 509–530 p. **287–9**
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314. Chapter 14. German instruction in American schools; [by L. Viereck.] Washington, 1902. 531–708 p. **287–10**
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315. Chapter 15. The first comprehensive attempts at child study. Washington, 1902. 709–729 p. **287–11**
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333. Chapter 37. Agricultural and mechanical colleges. Washington, 1902. 1801–1841 p. 287–30
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334. Chapter 38. Statistics of normal schools. Washington, 1902. 1843–1901 p. 287–31
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370. Chapter 27. Child study in Chicago. Washington, 1903. 1095–1138 p. **329–28**
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376. Chapter 36. Professional schools. Washington, 1903. 1499–1549 p. **329–34**
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469. Chapter 32. Schools for nurses. Washington, 1905. 2147–2173 p. **356–31**
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470. Chapter 34. Statistics of reform schools. Washington, 1905. 2209–2225 p. **356–32**
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489. Chapter 12. Miscellaneous educational topics. Washington, 1907. 237–266 p. **365–13**

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506. Chapter 29. Statistics of reform schools. Washington, 1907. 1329–1345 p. **365–29**
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507. Chapter 30. Schools for the defective classes. Washington, 1907. 1347–1379 p. **365–30**
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510. Publications of the United States Bureau of education from 1867 to 1906. Washington, 1907. xxxvii–xlvii p. **372**

511. Chapter 1. Education in Great Britain and Ireland, 1904–1906. Washington, 1907. 17 p. **374–2**
Cover-title.

Separates, 1906—Continued.

512. Chapter 2. Education in France. Washington, 1907. 19–34 p. **374–3**

513. Chapter 3. The new Prussian school law of 1906. Washington, 1907. 35–72 p. **374–4**
Cover-title.

514. Chapter 4. Progress of education in Italy; by Will S. Monroe. Washington, 1907. 73–90 p. **374–5**
Cover-title.

515. Chapter 5. Foreign universities and other foreign institutions of higher education in 1905 (list). Washington, 1907. 91–122 p. **374–6**
Cover-title.

516. Chapter 6. Public education in British India. Washington, 1907. 123–140 p. **374–7**
Cover-title.

517. Chapter 7. Education in the Philippines and in Cuba. Washington, 1907. 141–153 p. **374–8**
Cover-title.

518. Chapter 8. The education and professional position of nurses; by M. Adelaide Nutting. Washington, 1907. 155–205 p. **374–9**
Cover-title.

519. Chapter 9. Current topics, Washington, 1907. 207–235 p. **374–10**
Cover-title.

520. Chapter 10. Report on education in Alaska and the introduction of reindeer; [by Sheldon Jackson.] Washington, 1907. 237–255 p. **374–11**
Cover-title.

521. Chapter 11. Educational periodicals. Washington, 1907. 257–261 p. **374–12**
Cover-title.

522. Chapter 12. Educational directory. Washington, 1907. 263–292 p. **374–13**
Cover-title.

523. Chapter 13. Statistics of state school systems. Washington, 1907. 293–323 p. **374–14**
Cover-title.

524. Chapter 14. Statistics of city school systems. Washington, 1907. 325–444 p. **374–15**
Cover-title.

525. Chapter 15. Universities, colleges, and technological schools. Washington, 1907. 445–563 p. **374–16**
Cover-title.

526. Chapter 16. Agricultural and mechanical colleges. Washington, 1907. 565–592 p. **374–17**
Cover-title.

527. Chapter 17. Professional education. Washington, 1907. 593–643 p. **374–18**
Cover-title.

III.—CIRCULARS OF INFORMATION.[a]

528. 1870 August. Illiteracy, derived from census tables of 1860; Educational statistics, translation from an article by Dr. A. Ficker; School-room diseases, translation from an article by Dr. R. Virchow; Education of French and Prussian conscripts; School organization, etc. Washington, 1870. 70 p. 21

[Supplied-title.]

529. 1871 July. Report on the systems of public instruction in Sweden [by C. C. Andrews], and Norway [by Gerhard Gade.] Washington, 1871. 48 p. 22

530. 1871 November. Methods of school discipline; [by Hiram Orcutt] Washington, 1871. 14 p. 23

—. The discipline of the school; [by Hiram Orcutt], Washington, 1881. 15 p. 125

Cover-title.

531. 1871 December. Compulsory education; [by L. Van Bokkelen.] Washington, 1872. 17 p. 24

532. 1872 January. German and other foreign universities; [by Herman Jacobson.] Washington, 1872. 43 p. 25

533. 1872 February. Reports on the systems of public instruction in Greece [by John M. France]; The Argentine Republic; Chili, and Ecuador; with statistics of Portugal and Japan, and an official report on technical education in Italy. Washington, 1872. 77 p. 26

534. 1872 March. 1. An inquiry concerning the vital statistics of college graduates; [by Charles Warren.] 2. Distribution of college students in 1870–71; [by Charles Warren.] 3. Facts of vital statistics in the United States with tables and diagrams; [by J. M. Toner.] Washington, 1872. 93 p. 27

535. 1872 April. The relation of education to labor. Washington, 1872. 125 p. 28

536. 1872 June. Education in the British West Indies; [by Thomas H. Pearne.] Washington, 1872. 22 p. 29

537. 1872 July. The kindergarten. Washington, 1872. 62 p. 30

CONTENTS: Kindergarten in Italy; by Elizabeth P. Peabody.—The philosophy and methods of the kindergarten; by Baroness Marenholtz Bulow.—Kindergarten in Belgium, introduction to practical treatise on kindergarten; by Octavie Masson.

538. 1872 November. American education at the International exposition to be held at Vienna in 1873. 79 p. 31

539. 1873 no. 1. Historical summary and reports on the systems of public instruction in Spain, Bolivia, Uruguay, and Portugal. Washington, 1873. 66 p. 32

540. 1873 no. 2. Schools in British India; [by Joseph Warren]. Washington, 1873. 30 p. 33

541. 1873 no. 3. Account of college commencements for the summer of 1873, in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania. Washington, 1873. 118 p. 34

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[a] Official circulars 1–13 were published as reprints of the Annual report for 1867–68.

542. 1873 no. 4. List of publications by members of certain college-faculties and learned societies in the United States, 1867–1872. Washington, 1873. 72 p. **35**

543. 1873 no. 5. Account of college-commencements during 1873 in the western and southern states. Washington, 1873. 155 p. **36**

544. 1874 no. 1. Proceedings of the Department of superintendence of the National educational association. Washington, 1874. 77 p. **37**

545. 1874 no. 2. Drawing in public schools. The present relation of art to education in the United States; [by I. Edwards Clarke.] Washington, 1874. 56 p. **38**

546. 1874 no. 3. History of secondary instruction in Germany; [compiled by Herman Jacobson.] Washington, 1874. 87 p. **39**

547. 1875 no. 1. Proceedings of the Department of superintendence of the National educational association, at Washington, D. C., January 27 and 28, 1875. Washington, 1875. 114 p. **40**

548. Education at the Centennial. Washington, 1875. 27 p. **40–1**
Cover-title.

549. 1875 no. 2. Education in Japan. Washington, 1875. 64 p. **41**

550. 1875 no. 3. An account of the systems of public instruction in Belgium, Russia, Turkey, Servia and Egypt. Washington, 1875. 108 p. **42**

CONTENTS: Education in Belgium.—The progress of education in Russia; by Emile de Laveleye.—Education in Turkey; by M. de Salve.—Education in Servia.—Public instruction in Egypt.

551. 1875 no. 4. Waste of labor in the work of education; by P. A. Chadbourne. Washington, 1875. 16 p. **43**

552 1875 no. 5. Suggestions respecting the educational exhibit at the International centennial exhibition, 1876. Washington, 1875. 26 p. **44**

553. 1875 no. 6. Statements relating to reformatory, charitable, and industrial schools for the young. Washington, 1875. 208 p. **45**

554. 1875 no. 7. Constitutional provisions in regard to education in the several states of the American union; [by Franklin Hough.] Washington, 1875. 130 p. **46**

555. 1875 no. 8. Schedule for the preparation of students' work for the Centennial exhibition, as reported by the committee of the Department of superintendence of the National educational association, appointed at Minneapolis in 1875. Washington, 1875. 15 p. **47**

556. 1877 no. 1. Report on the system of public instruction in China; [by William A. P. Martin.] Washington, 1877. 28 p. **48**

557. 1877 no. 2. Reports on the systems of public instruction in Finland [by Felix Heikel]; the Netherlands [by C. H. Plugge]; Denmark; Würtemberg [by J. L. Corning]; and Portugal; with a paper on the University of Leipzig [by John H. Steuart]. Washington, 1877. 77 p. **49**

558. 1878 no. 1. The training of teachers in Germany. Washington, 1878. 36 p. **50**

559. 1878 no. 2. Elementary education in London, [with address of Sir Charles Reed.] Washington, 1878. 24 p. **51**

560. 1879 no. 1. Training schools for nurses. Washington, 1879. 21 p. **52**

561. 1879 no. 2. Papers, addresses, discussions, and other proceedings of the Department of superintendence of the National educational association, at the meeting held at Washington, D. C., February 4, 5, and 6, 1879; the proceedings of the Department of superintendence of the National educational association for 1877; and the proceedings of the Conference of the presidents and other delegates of the state universities and state colleges of Ohio for 1877. Washington, 1879. 192 p. 53

Separates.

562. An address on the needs of the Bureau of education; by John Eaton. Washington, 1879. 7 p. 308

563. An address on the needs of education in the South; by Gustavus J. Orr. Washington, 1879. 13 p. 306

564. An address on technical education and industrial drawing; by Walter Smith. Washington, 1879. 24 p. 313

565. An address on national aid to education; by John Eaton. Washington, 1879. 37 p. 307

566. An address on education at the Paris exposition; by John D. Philbrick. Washington, 1879. 9 p. 323

567. 1879 no. 3. The value of common school education to common labor; by Dr. Edward Jarvis; together with illustrations of the same as shown by the answers to inquiries addressed to employers, workmen, and observers. Washington, 1879. 37 p. 54

568. 1879 no. 4. Training schools of cookery. Washington, 1879. 49 p. 55

569. 1879 no. 5. American education as described by the French commission to the International exhibition of 1876; [by Ferdinand Buisson and others.] Washington, 1879. 37 p. 56

570. 1880 no. 1. College libraries as aids to instruction. Washington, 1880. 27 p. 57

CONTENTS: The college library; by Justin Winsor.—Rochester university library; by Otis H. Robinson.

571. 1880 no. 2. Proceedings of the Department of superintendence of the National educational association, at its meetings at Washington, D. C., February 18–20, 1880. Washington, 1880. 112 p. 58

572. 1880 no. 3. Legal rights of children; [by S. M. Wilcox.] Washington, 1880. 96 p. 59

573. 1880 no. 4. Rural school architecture, with illustrations; [by T. M. Clark.] Washington, 1880, 106 p. 60

574. 1880 no. 5. English rural school; [by Henry W. Hulbert.] Washington, 1880. 26 p. 61

575. 1880 no. 6. A report on the teaching of chemistry and physics in the United States; by Frank Wigglesworth Clarke. Washington, 1881. 219 p. 62

576. 1880 no. 7. The spelling reform; [by F. A. March.] Washington, 1881. 36 p. 63

577. 1881 no. 1. The construction of library buildings; [by William F. Poole.] Washington, 1881. 26 p. 64

578. 1881 no. 2. The relation of education to industry and technical training in American schools; [by E. E. White.] Washington, 1881. 22 p. 65

579. 1881 no. 3. Proceedings of the Department of superintendence of the National educational association at its meeting at New York, February 8–10, 1881. Washington, 1881. 79 p. **66**

Separates.

580. An address on our schools and our forests; by Franklin B. Hough. Washington, 1881. 18 p. **300**

581. An address on museums illustrative of education; by Hon. John Eaton. Washington, 1881. 12 p. **309**

582. 1881 no. 4. Education in France. Washington, 1881. 144 p. **67**

583. 1881 no. 5. Causes of deafness among school children and its influences on education, with remarks on the instruction of pupils with impaired hearing and on aural hygiene in the schools, by Samuel Sexton. Washington, 1881. 47 p. **68**

584. 1881 no. 6. The effects of student life upon the eyesight; by A. W. Calhoun. Washington, 1881. 29 p. **69**

585. 1882 no. 1. The inception, organization, and management of training schools for nurses. Washington, 1882. 28 p. **70**

586. 1882 no. 2. Proceedings of the Department of superintendence of the National educational association at its meeting at Washington, March 21–23, 1882. Washington, 1882. 111 p. **71**

587. 1882 no. 3. The University of Bonn; [by Edmond Dreyfus-Brisac.] Washington, 1882. 67 p. **72**

588. 1882 no. 4. Industrial art in schools; by Charles G. Leland. Washington, 1882. 37 p. **73**

589. 1882 no. 5. Maternal schools in France. Washington, 1882. 14 p. **74**

590. 1882 no. 6. Technical instruction in France. Washington, 1882. 63 p. **75**

591. 1883 no. 1. Legal provisions respecting the examination and licensing of teachers. Washington, 1883. 46 p. **76**

592. 1883 no. 2. Coeducation of the sexes in the public schools of the United States. Washington, 1883. 30 p. **77**

593. 1883 no. 3. Proceedings of the Department of superintendence of the National educational association at its meeting at Washington, February 20–22, 1883. Washington, 1883. 81 p. **78**

594. 1883 no. 4. Recent school law decisions; compiled by Lyndon A. Smith. Washington, 1883. 82 p. **79**

595. 1884 no. 1. Meeting of the International prison congress at Rome, in October, 1884. Washington, 1884. 11 p. **80**

596. 1884 no. 2. The teaching, practice, and literature of shorthand; by Julius Ensign Rockwell. 2d. and enl. ed. Washington, 1885. 184 p. **81**

—. Additions to the teaching, practice, and literature of shorthand; [by Julius Ensign Rockwell.] Washington, 1885. 159–182 p. **81–1**

597. 1884 no. 3. Illiteracy in the United States in 1870 and 1880, with diagrams and observations; by Charles Warren; with an appendix on national aid to education; by J. L. M. Curry. Washington, 1884. 99 p. **82**

598. 1884 no. 4. Proceedings of the Department of superintendence of the National educational association at its meeting at Washington, February 12–14, 1884. Washington, 1884. 176 p. **83**

Separates.

599. Address on arbor day in the public schools; by J. B. Peaslee. Washington, 1884. 14 p. **83–1**

600. Address on the educational status and needs of the new South; by Robert Bingham. Washington, 1884. 21 p. **305**

601. 1884 no. 5. Suggestions respecting the educational exhibit at the World's industrial and cotton centennial exposition. Washington, 1884. 28 p. **84**

602. 1884 no. 6. Rural schools; progress in the past; means of improvement in the future; [by Annie T. Smith.] Washington, 1884. 90 p. **85**

603. 1884 no. 7. Aims and methods of the teaching of physics; by Charles K. Wead. Washington, 1884. 158 p. **86**

604. 1885 no. 1. City school systems in the United States; by John D. Philbrick. Washington, 1885. 207 p. **87**

605. 1885 No. 2. Teachers' institutes; [compiled by James H. Smart.] Washington, 1885. 206 p. **88**

606. 1885 no. 3. A review of the reports of the British royal commissioners on technical instruction, with notes; by Charles O. Thompson. Washington, 1885. 55 p. **89**

607. 1885 no. 4. Education in Japan; [prepared and translated by the Japanese department of education.] Washington, 1885. 56 p. **90**

608. 1885 no. 5. Physical training in American colleges and universities; by Edward Mussey Hartwell. Washington, 1886. 183 p. **91**

609. 1886 no. 1. The study of music in public schools. Washington, 1886. 78 p. **92**

610. 1886 no. 2. Proceedings of the Department of superintendence of the National educational association at its meeting at Washington, February 23–26, 1886. Washington, 1886. 169 p. **93**

611. 1887 no. 1. The College of William and Mary, a contribution to the history of higher education, with suggestions for its national promotion; by Herbert B. Adams. Washington, 1887. 89 p. (Contributions to American educational history, no. 1.) **94**

612. 1887 no. 2. The study of history in American colleges and universities; by Herbert B. Adams. Washington, 1887. 299 p. **95**

613. 1887 no. 3. Proceedings of the Department of superintendence of the National educational association at its meeting at Washington, March 15–17, 1887. Washington, 1887. 200 p. **96**

614. 1888 no. 1. Thomas Jefferson and the University of Virginia; by Herbert B. Adams, with authorized sketches of Hampden-Sidney, Randolph-Macon, Emory-Henry, Roanoke, and Richmond colleges, Washington and Lee university, and Virginia military institute. Washington, 1888. 308 p. (Contributions to American educational history, no. 2.) **97**

615. 1888 no. 2. The history of education in North Carolina; by Charles Lee Smith. Washington, 1888. 180 p. (Contributions to American educational history, no. 3.) **98**

616. 1888 no. 3. History of higher education in South Carolina, with a sketch of the free school system; by Colyer Meriwether. Washington, 1889. 247 p. (Contributions to American educational history, no. 4.) **99**

617. 1888 no. 4. Education in Georgia; by Charles Edgeworth Jones. Washington, 1889. 154 p. (Contributions to American educational history, no. 5.) **100**

618. 1888 no. 5. Industrial education in the South; by A. D. Mayo. Washington, 1888. 86 p. **101**

619. 1888 no. 6. Proceedings of the Department of superintendence of the National educational association at its meeting in Washington, February 14–16, 1888. Washington, 1888. 165 p. **102**

Separate.

620. Alaska; by N. H. R. Dawson. Washington, 1889. 119–134 p. **102–1**

621. 1888 no. 7. History of education in Florida; by George Gary Bush. Washington, 1889. 54 p. (Contributions to American educational history, no. 6.) **103**

622. 1889 no. 1. Higher education in Wisconsin; by William F. Allen and David E. Spencer. Washington, 1889. 68 p. (Contributions to American educational history, no. 7.) **157**

623. 1889 no. 2. Proceedings of the Department of superintendence of the National educational association at its meeting in Washington, March 6–8, 1889. Washington, 1889. 300 p. **160**

Separate.

624. Relation of manual training to body and mind; by C. M. Woodward. [Washington, 1889?] 26 p. **301**

Caption-title.

625. 1889 no. 3. History of education in Alabama, 1702–1889; by Willis G. Clark. Washington, 1889. 281 p. (Contributions to American educational history, no. 8.) **163**

626. 1890 no. 1. The history of federal and state aid to higher education in the United States; by Frank W. Blackmar. Washington, 1890. 343 p. (Contributions to American educational history, no. 9.) **161**

627. 1890 no. 2. English-Eskimo and Eskimo-English vocabularies; compiled by Roger Wells and John W. Kelly; preceded by ethnographical memoranda concerning the Arctic Eskimos in Alaska and Siberia; by John W. Kelly. Washington, 1890. 72 p. **165**

628. 1890 no. 3. The teaching and history of mathematics in the United States; by Florian Cajori. Washington, 1890. 400 p. **167**

629. 1891 no. 1. Higher education in Indiana; by James Albert Woodburn. Washington, 1891. 200 p. (Contributions to American educational history, no. 10.) **170**

630. 1891 no. 2. The fourth International prison congress, St. Petersburg, Russia; by C. D. Randall. Washington, 1891. 253 p. **171**

631. 1891 no. 3. Sanitary conditions for schoolhouses; by Albert P. Marble. Washington, 1891. 123 p. **173**

632. 1891 no. 4. History of higher education in Michigan; by Andrew C. McLaughlin. Washington, 1891. 179 p. (Contributions to American educational history, no. 11.) **174**

633. 1891 no. 5. The history of higher education in Ohio; by George W. Knight and John R. Commons. Washington, 1891. 258 p. (Contributions to American educational history, no. 12.) **175**

634. 1891 no. 6. History of higher education in Massachusetts; by George Gary Bush. Washington, 1891. 445 p. (Contributions to American educational history, no. 13.) **176**

635. 1891 no. 7. Promotions and examinations in graded schools; by Emerson E. White. Washington, 1891. 64 p. **177**

636. 1891 no. 8. Rise and growth of the normal-school idea in the United States; by J. P. Gordy. Washington, 1891. 145 p. 178

637. 1891 no. 9. Biological teaching in the colleges of the United States; by John P. Campbell. Washington, 1891. 183 p. 179

638. 1892 no. 1. Southern women in the recent educational movement in the South; by A. D. Mayo. Washington, 1892. 300 p. 186

639. 1892 no. 2. Benjamin Franklin and the University of Pennsylvania; ed. by Francis Newton Thorpe. Washington, 1893. 450 p. 188

640. 1893 no. 1. Shorthand instruction and practice; by Julius Ensign Rockwell. Washington, 1893. 206 p. 192

641. 1893 no. 2. The history of education in Connecticut; by Bernard C. Steiner. Washington, 1893. 300 p. (Contributions to American educational history, no. 14.) 193

642. 1893 no. 3. The history of education in Delaware; by Lyman P. Powell. Washington, 1893. 186 p. (Contributions to American educational history, no. 15.) 194

643. 1893 no. 4. Abnormal man, being essays on education and crime and related subjects, with digests of literature and a bibliography; by Arthur MacDonald. Washington, 1893. 445 p. 195

644. 1893 no. 5. Higher education in Tennessee; by Lucius Salisbury Merriam. Washington, 1893. 287 p. (Contributions to American educational history, no. 16.) 196

645. 1893 no. 6. Higher education in Iowa; by Leonard F. Parker. Washington, 1893. 190 p. (Contributions to American educational history, no. 17.) 197

646. 1893 no. 7. Statistics of public libraries in the United States and Canada; by Weston Flint. Washington, 1893. 213 p. 201

647. 1893 no. 8. The spelling reform; by Francis A. March. A revision and enlargement of the author's pamphlet published by the U. S. Bureau of education in 1881. Washington, 1893. 86 p. 202

648. 1894 no. 1. History of higher education in Rhode Island; by William Howe Tolman. Washington, 1894. 210 p. (Contributions to American educational history, no. 18.) 209

649. 1894 no. 2. History of education in Maryland; by Bernard C. Steiner. Washington, 1894. 331 p. (Contributions to American educational history, no. 19.) 210

650. 1898 no. 1. The history of education in Louisiana; by Edwin Whitfield Fay. Washington, 1898. 264 p. (Contributions to American educational history, no. 20.) 242

651. 1898 no. 2. Higher education in Missouri; by Marshall S. Snow. Washington, 1898. 164 p. (Contributions to American educational history, no. 21.) 243

652. 1898 no. 3. History of education in New Hampshire; by George Gary Bush. Washington, 1898. 170 p. (Contributions to American educational history, no. 22.) 244

653. 1899 no. 1. History of education in New Jersey; by David Murray. Washington, 1899. 344 p. (Contributions to American educational history, no. 23.) 252

654. 1899 no. 2. History of education in Mississippi; by Edward Mayes. Washington, 1899. 290 p. (Contributions to American educational history, no. 24.) 255

655. 1899 no. 3. History of higher education in Kentucky; by Alvin Fayette Lewis. Washington, 1899. 350 p. (Contributions to American educational history, no. 25.) 256

656. 1900 no. 1. History of education in Arkansas; by Josiah H. Shinn. Washington, 1900. 121 p. (Contributions to American educational history, no. 26.) 262

657. 1900 no. 2. Higher education in Kansas; by Frank W. Blackmar. Washington, 1900. 166 p. (Contributions to American educational history, no. 27.) 263

658. 1900 no. 3. The University of the state of New York: history of higher education in the state of New York; by Sidney Sherwood. Washington, 1900. 538 p. (Contributions to American educational history, no. 28.) 264

659. 1900 no. 4. History of education in Vermont; by George Gary Bush. Washington, 1900. 216 p. (Contributions to American educational history, no. 29.) 265

660. 1902 no. 1. History of education in West Virginia; by A. R. Whitehill. Washington, 1902. 165 p. (Contributions to American educational history, no. 30.) 280

661. 1902 no. 2. The history of education in Minnesota; by John N. Greer. Washington, 1902. 223 p. (Contributions to American educational history, no. 31.) 281

662. 1902 no. 3. Education in Nebraska; by Howard W. Caldwell. Washington, 1902. 268 p. (Contributions to American educational history, no. 32.) 282

663. 1902 no. 4. A history of higher education in Pennsylvania; by Charles H. Haskins and William I. Hull. Washington, 1902. 272 p. (Contributions to American educational history, no. 33.) 283

664. 1903 no. 1. History of higher education in Colorado; by James Edward Le Rossignol. Washington, 1903. 67 p. (Contributions to American educational history, no. 34.) 292

665. 1903 no. 2. History of education in Texas; by J. J. Lane. Washington, 1903. 334 p. (Contributions to American educational history, no. 35.) 293

666. 1903 no. 3. History of higher education in Maine; by Edward W. Hall. Washington, 1903. 241 p. (Contributions to American educational history, no. 36.) 294

IV. BULLETIN.

667. 1906 no. 1. The Education bill of 1906 for England and Wales as it past the House of Commons; by Anna Tolman Smith. Washington, 1906. 48 p. 360

—. Same. 2d ed. Washington, 1907. 48 p.

668. 1906 no. 2. German views of American education, with particular reference to industrial development, collated from the reports of the Royal Prussian industrial commission of 1904; by William N. Hailmann. Washington, 1906. 55 p. 361

CONTENTS: General considerations.—The kindergarten.—Elementary schools.—Middle schools.—Normal instruction.—Drawing and art instruction.—Industrial art schools.—Technical colleges and other advanced technical institutions.—Apprenticeship and trade schools.—Contents of the "Reiseberichte."

668. 1906 no. 2. 2d ed. German views of American education, with particular reference to industrial development, collated from the reports of the Royal Prussian industrial commission of 1904; by William N. Hailmann. 2d ed. Washington, 1907. 55 p.

669. 1906 no. 3. State school systems: legislation and judicial decisions relating to public education, October 1, 1904, to October 1, 1906; by Edward C. Elliott. Washington, 1906. 156 p. 363

—. Same. 2d ed. rev. Washington, 1907. 156 p.

CONTENTS: Legislation relating to public education: A. Administrative control and supervision of elementary and secondary education; B. State finance and support; C. Local finance and support; D. Buildings and sites; E. Teachers in elementary and secondary schools; F. Teachers: employment, etc.; G. Teachers: professional training and education; H. School population and attendance; I. School discipline; J. Health regulations; K. Text-books and supplies; L. Subject-matter of instruction; M. Special types of school; N. Secondary education: High schools and academies; O. Higher educational institutions; P. Professional and higher technical education; Q. Private and endowed higher institutions; R. Libraries; S. Education of defectives and delinquents.

Recent decisions of state supreme courts.

670. 1907 no. 1. The continuation school in the United States; by Arthur J. Jones. Washington, 1907. 157 p. 367

CONTENTS: I. Introduction.—II. Statistical exhibit of school attendance and withdrawal.—III. Agencies for supplementary education in other countries.—IV. Different types of continuation school.—V. Kind and amount of instruction given in continuation schools.—VI. The place and purpose of the continuation school.—VII. Bibliography.

671. 1907 no. 2. Agricultural education including nature study and school gardens; by James Ralph Jewell. Washington, 1907. 140 p. 368

CONTENTS: Chapter I. Nature study.—II. School gardens.—III. Elementary agricultural education.—IV. Secondary agricultural education.—V. Agricultural colleges.—VI. Practical advantages of agricultural education.—Bibliography.—Appendix, Form for nature observations employed in the schools of Nova Scotia.

672. 1907 no. 3. The auxiliary schools of Germany, six lectures; by B. Maennel. Tr., by Fletcher Bascom Dresslar. Washington, 1907. 137 p. 376

CONTENTS: I. Historical sketch.—II. Reasons for the establishment of auxiliary schools.—III. Admission procedure.—IV. The parents and the whole environment of auxiliary school pupils before and during the school period.—V. Health conditions of auxiliary school pupils.—VI. The pupils of the auxiliary school and their characterization.—VII. The building for the auxiliary school.—VIII. Classification of pupils in an auxiliary school, and the number in each class.—IX. The daily programme.—X. The curriculum.—XI. Methods of instruction.—XII. Discipline in the auxiliary school.—XIII. Preparation of auxiliary school pupils for confirmation.—XIV. The community and the State in their relations to the auxiliary school.—XV. The teachers and the principal of the auxiliary school.—XVI. The pedagogical significance of the auxiliary school.

673. 1907 no. 4. The elimination of pupils from school; by Edward L. Thorndike. Washington, 1908. 63 p. 379

CONTENTS: I. Elimination by grades.—II. Elimination by ages.—III. Special reports.—IV. Data on elimination by grades.—V. Elimination by age.

V. MISCELLANEOUS PUBLICATIONS.

674. Technical instruction. Washington, 1870. 784 p. **144**

First edition incomplete, printed pursuant to a call of House of Representatives, January 19, 1870. 2d edition, enlarged, was published as V. 21 of Barnard's American journal of education.

675. Special report of the Commissioner of education on the condition and improvement of public schools in the District of Columbia. Washington, 1871. 912 p. **2**

Printed also as Barnard's American journal of education, V. 19.

676. Statistics of colleges and collegiate institutions in the United States. 1871. 11 p. **315**

677. *Suggestions for a free-school policy for United States land grantees. 1872. 6 p. **105**

678. A statement of the theory of education in the United States of America, as approved by many leading educators. Washington, 1874. 22 p. **106**

679. Contributions to the annals of medical progress and medical education in the United States before and during the War of independence; by Joseph M. Toner. Washington, 1874. 118 p. **145**

680. Proceedings of the Department of superintendence of the National educational association respecting state- and city-school-reports. Washington, 1874. 26 p. **304**

First part reprinted from Proceedings, Circular of information no. 1, 1874.

681. *International exhibition, Philadelphia, 1876. Collections to illustrate the history of colleges, universities, professional schools, and schools of science. 1875. **316**

682. The Chilian international exposition of 1875, to be held at Santiago, Chili. Letter of the United States Commissioner of education. Programme of the special section for education. Washington, 1875. 9 p. **318**

683. *Synopsis of proposed centennial; history of American education, 1776 to 1876. 1875. 18 p. **319**

684. List of public-school-officials in the states and territories of the United States, corrected to May 1, 1875. Washington, 1875. 62 p. **110**

685. The national Bureau of education: its history, work, and limitations; by Alexander Shiras. Washington, 1875. 16 p. **107**

Cover-title.

686. *Educational conventions and anniversaries, 1876. 187 p. **108**

687. Historical sketch of Mount Holyoke seminary; by Mary O. Nutting. Washington, 1876. 24 p. **146**

688. Historical sketch of Union college; [by F. B. Hough.] Washington, 1876. 81 p. **147**

689. Public libraries in the United States of America, their history, condition and management. Part I. ed. by S. R. Warren and S. M. Clark. Part II. Rules for a dictionary catalogue; by C. A. Cutter. Washington, 1876. 2 v. **148**

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UNITED STATES BUREAU OF EDUCATION
BULLETIN, 1908: NO. 3 WHOLE NUMBER 386

BIBLIOGRAPHY OF EDUCATION FOR 1907

COMPILED BY
JAMES INGERSOLL WYER, Jr., and MARTHA L. PHELPS
OF THE NEW YORK STATE LIBRARY

WASHINGTON
GOVERNMENT PRINTING OFFICE
1908

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LETTER OF TRANSMITTAL.

Department of the Interior,
Bureau of Education,
Washington, June 5, 1908.

Sir: I have the honor to transmit herewith the manuscript of a bibliography of education for the year 1907, compiled by James Ingersoll Wyer, jr., and Martha L. Phelps, of the New York State Library. The wide usefulness of these annual bibliographies has been clearly shown in connection with the publications of Mr. Wyer and his associates since the year 1899. It is found especially desirable to have such a publication issued as a part of the plan now in course of realization, of making the library of this office more directly useful to the libraries of educational institutions and to individual students of education throughout the country. I would respectfully recommend the publication of this bibliography, in the belief that it will have such wide and varied use.

I have the honor to be,
Very respectfully, Elmer Ellsworth Brown,
Commissioner.

The Secretary of the Interior.

BIBLIOGRAPHY OF EDUCATION FOR 1907.

INTRODUCTION.

HISTORY.

This bibliography is the ninth similar annual summary of the English literature of education. The first eight numbers, covering the years 1899–1906, appeared in the Educational Review for April, 1900; April, 1901; June, 1902, 1903, 1904, 1905; September–October, 1906, and June, 1907. The publication of the present number is assumed by the United States Bureau of Education.

There is also incorporated into the present annual summary, as the initial group of titles, under the caption "Bibliography," the annual list of "Recent Educational Bibliography," which has been printed in each October number of the School Review since 1898. Thus the two principal annual guides to the literature of educational topics have been united under new auspices in the present publication.

PLAN.

The bibliography is planned to include:

1. Books on educational subjects printed in the English language in 1907.
2. Important articles on the same topic from the periodicals of 1907.
3. Valuable papers published in the transactions of educational societies that bear the imprint date 1907.
4. All chapters of distinct educational interest from any books bearing date 1907 and all notable matter of the same sort wherever found.

It does not include:

a. Purely local current literature and reports of separate institutions, provinces, colonies, or states. For all such material the student is referred to reports of state departments and of the thousands of educational institutions in this country, in Great Britain, and in the colonies.

b. Unimportant matter, such as is being constantly published in journals.

c. Text-books.
d. New editions with slight and unimportant changes.
The distinctive features of the compilation are:
1. The careful examination of all matter included and the selection of only what seems important.
2. The numerous descriptive annotations.
3. The classification by subject-matter so that the worker in any line may find together the literature of interest to him. The decimal classification has, with a few deviations, been followed, both as being on the whole the most satisfactory classification in use, and as being very widely used by libraries.

A detailed outline of the classification precedes the bibliography. The student of school hygiene, for example, finding from this outline that the year's literature on that subject is grouped under section 371.7, has but to turn to the section having that number in each of the previous annual lists to bring under his eyes the titles of the most important books and articles of the past nine years on his specialty. An author index of names and a minute subject index, bringing out many topics not mentioned in the classification, are appended.

Unanimity, or even general agreement, can not be hoped for as to the selection, from the vast range of the annual literature on educational topics, of the articles that are best worth mention in a list like this, a list aiming at selection rather than completeness. Most of the current contributions appear in the proceedings of educational societies, and when the annual volume of papers and addresses of the National Education Association, the most important body of educators in the country, contains so much that, however pertinent and profitable it may have been as originally given, is trivial when considered for the purposes of this bibliography, the task of the bibliographer in examining the annual grist of similar grain is not an easy one. It has, indeed, seemed wisest in case of doubt to include certain titles of apparently indifferent value (with suitable descriptive notes) rather than to risk the omission of articles that might be helpful.

It is not claimed that all the matter listed here has permanent value. Much of it is but current chronicle, yet as such topics are tomorrow matters of educational history, it seems proper to include some of the most important literature relating to them.

LITERATURE OF 1907.

The official and semiofficial literature of the year has been unusually extensive. Two complete annual reports (four volumes) of the United States Commissioner of Education bring the belated series close up to date, and provide statistical summaries covering nearly all phases of American education, while the figures are relatively fresh. The National Education Association, in its interesting fiftieth anni-

versary volume and the usual annual volume of proceedings, covering the Los Angeles meeting, has also given us double measure; the notable papers read before the educational congress at the St. Louis exposition in 1904 at last have been collected and published (No. 61 below), while in value and extent the published papers and discussions of the constantly increasing number of educational associations have not been less than in past years. The important series of special reports from the British education office, begun under the editorship of Doctor Sadler, is increased by several new volumes (Nos. 81, 84, 295 below). An examination of section 375.6 of the bibliography and a comparison with the same section for previous years bring out sharply the marked increase in the attention paid to the subject of industrial education within a single year. Doctor Sadler's encyclopedic volume (No. 264) is easily the most significant contribution to a knowledge of the work done in Europe, while the monograph by Mr. A. J. Jones (No. 255), the formation of a national society for the promotion of this form of education (No. 260), a report of real progress by the new Massachusetts commission (No. 257), the attention paid to the topic on the programme of the Social Education Congress in Boston (No. 266), and an excellent synopsis (No. 261) of its importance and possibilities by Mr. H. S. Person, all testify to a new and very lively interest in the subject in the United States.

The other topic which has received the most unwonted discussion during the year under review is that of teachers' salaries and pensions. The work and reports of the Carnegie Foundation have undoubtedly stimulated some cities and States to consider and adopt pension plans, and the matter of salaries has shown a "sympathetic" interest which has in New York State gone to the point of attempting to secure (see No. 146) "equal pay for equal work" for both sexes through mandatory legislation.

Among the books dealing with educational theory which challenge attention either by extent, timeliness, or content are Bray—The Town Child (No. 26); Chancellor—Motives, Ideals, and Values in Education (No. 29); Keatinge—Suggestion in Education (No. 51); and Urwick—The Child's Mind (No. 53).

In methodology Bagley—Classroom Management (No. 168) deals not with how best to teach the substance of the various branches, but with the principles and technique of the routine of the schoolroom; De Garmo—Principles of Secondary Education (No. 227) carefully analyzes the content and value of the curriculum, subject by subject; while in MacClintock—Literature in the Elementary School (No. 308), O'Shea—Linguistic Development and Education (No. 237), and Young—Teaching of Mathematics in the Elementary and

Secondary School (No. 245) we have interesting or important contributions to the methodology of special branches.

Freeman—Schools of Hellas (No. 91) and Monroe—History of the Pestalozzian Movement in the United States (No. 110) are noteworthy additions to educational history, and in the allied field of biography Compayré's monographs on Herbart, Rousseau, Pestalozzi, Spencer, and Mann have been published in English translations during the year. In other directions should be noticed Miss Burstall's English High Schools for Girls (No. 330); the California prize essays on Moral Training in the Public Schools (No. 350); and the annual volume from the Religious Education Association (No. 351).

Dealing with higher education are the two little volumes of reprinted papers and addresses by C. F. Adams (No. 381) and Prof. A. F. West (No. 396), and above all Birdseye—Individual Training in Our Colleges (No. 384), which, while perhaps somewhat overdrawing conditions and unduly magnifying the remedial possibilities of college fraternities, was characterized by a reviewer in the Dial as "the most important book on education which has appeared in the last ten years."

The compilers are indebted to Prof. M. E. Sadler for help in selecting the British titles, and he in turn has associated with himself Prof. John Adams, Prof. J. J. Findlay, Mrs. McKenzie, Harrold Johnson, Prof. A. Darroch, Prof. E. P. Culverwell, and Mr. A. E. Twentyman, to whom acknowledgments are also made.

OUTLINE OF CLASSIFICATION.

Bibliography.

370. EDUCATION—THEORY, PHILOSOPHY.
- 370.1 Psychology and education.
- 370.5 Periodicals.
- 370.6 Associations.
- 370.7 The study of education.
- 370.9 General histories of education: historical material for different countries arranged alphabetically by countries.
  - 370.92 Biography.

371. TEACHERS, METHODS, DISCIPLINE.
- 371.1 Teachers.
  - 371.12 Training of teachers.
  - 371.16 Salaries for teachers.
  - 371.17 Pensions for teachers.
- 371.2 School organization and administration; the superintendent.
  - 371.23 Vacation schools.
  - 371.25 Classification of pupils.
  - 371.28 Promotion of pupils.
- 371.3 Methods of instruction. (For methods in special branches see 375 and its subdivisions.)
- 371.42 Manual training.
- 371.5 Government, discipline, punishment.
  - 371.52 Attendance, truancy.
  - 371.55 Corporal punishment.

Bibliography—Continued.

371. TEACHERS, METHODS, DISCIPLINE—Continued.
- 371.6 School buildings and furniture.
- 371.64 School libraries; libraries and schools.
- 371.7 School hygiene.
- 371.73 Physical education, gymnastics, athletics.
- 371.8 Student life, customs, and societies.
- 371.9 Education of special classes (defectives, dependents, delinquents).
- 371.94 Negro.
- 371.95 Indian.

372. ELEMENTARY EDUCATION.
- 372.2 Kindergarten.

373. SECONDARY EDUCATION OTHER THAN PUBLIC, arranged alphabetically by countries.

375. CURRICULUM.
- 375.04 Elective studies.
- 375.2–375.9 Special subjects of instruction, divided according to decimal classification.

376. EDUCATION OF WOMEN.
- 376.7 Coeducation.

377. RELIGIOUS AND MORAL EDUCATION.

378. HIGHER EDUCATION; COLLEGES AND UNIVERSITIES; for special countries, arranged alphabetically by countries.
- 378.01 College entrance requirements.
- 378.2 Academic degrees.
- 378.3 Graduate work; research.

379. PUBLIC SECONDARY EDUCATION.
- 379.11 School finance, taxation.
- 379.14 School laws.
- 379.15 School supervision.
- 379.23 Compulsory education.
- 379.5 Secondary education in different countries, arranged alphabetically.

A minute subject index of topics not brought out in the above outline is found incorporated with the author index at the end of the bibliography.

The abbreviations used are ordinary ones and easily comprehended. Volume and page are separated by the colon. Thus 6:386–407 means vol. 6, pages 386 to 407. N. E. A. Proc. is, of course, National Education Association, Journal of Proceedings. The reports of the United States Commissioner of Education, Dr. E. E. Brown, are entered as a whole and each important article appears also under its appropriate subject. An excellent summary of contents in the introduction makes the use of the volumes easier and more profitable. No date beyond the month is given in the references, as 1907 is always understood.

BIBLIOGRAPHY OF EDUCATION, 1907.

BIBLIOGRAPHY.

1. *Agricultural education.* **Jewell, J. R.** Agricultural education including nature study and school gardens. (U. S.—Education Bureau. Bulletin 2, 1907, p. 128–32.)

   One hundred and twenty-three titles classified under the headings, Nature study and school gardens; Elementary instruction; Secondary instruction; Collegiate instruction.

2. *Attendance.* **References to publications relating to school attendance and the welfare of children.** (U. S.—Education, Comm'r of. Report for 1906. 2:1288–90.)

   Sections on Compulsory education; truancy; school hygiene; juvenile courts.

3. *Auxiliary schools.* **Maennel, B.** Führer durch die Literatur des Hilfsschulwesens (in Kinderfehler, Oct., 1906, and following numbers).

   A comprehensive and systematically classified bibliography. A selection is appended to No. 3 of the Bulletin for 1907 of the U. S. Bureau of Education.

4. *Canada—Education.* **Coleman, H. T. J.** Public education in upper Canada. p. 118–20.

5. *Child study.* **Smith, T. L.** Bibliography of articles relating to the study of childhood and adolescence which have been published in the Pedagogical seminary and American journal of psychology. (Ped. sem. Sept., 14: 355–65.)

   Two hundred and three items listed by author with minute subject index.

6. ——— **Washburne, Mrs. M. F.** Study of child life. 1907. p. 170–74.

7. ——— **Wilson, L. N.** Bibliography of child study for the year 1906. (Ped. sem. 14: 329–354.)

   This 10th similar annual summary shows 362 titles, most of them on some near or remote phase of the subject. It is followed by a list of 203 articles on child study which have appeared within 15 years in the Pedagogical Seminary.

8. *Colleges and universities.* **Snow, L. F.** The college curriculum in the United States. p. 184–86.

9. *Continuation schools.* **Jones, A. J.** The continuation school in the United States. (U. S.—Education Bureau, Bulletin 1, 1907.)

   A considerable bibliography is appended.

10. ——— **Sadler, M. E.** *ed.* Continuation schools in England and elsewhere.

    See No. 264 for full entry. List of books and papers relating to the continuation school in France is found on p. 641–42; in Germany, p. 534; in the U. S., p. 655 and 673; in Denmark, p. 512; in Great Britain, p. 750–54.

11. *Denison university.* **Hines, Mrs. K. S.** Denison bibliography. (Denison memorial volume. 1907. p. 151–61.)

12. *Education.* **Loos, Joseph.** Enzyklopädisches Handbuch der Erziehungskunde. 2 v. 1906–8. Leipzig.

A wealth of bibliographical references, almost wholly to German books, appears at the end of each important article.

13. ——— **Tyler, J. M.** Growth and education. p. 271–91.

Five hundred and twenty-five titles grouped according to the titles of chapters forming the book. The references on some of the minor topics should be especially useful.

14. ——— **Wyer, J. I.** Recent educational bibliography. (School rev. Oct., 15 : 608–14.)

In this tenth similar annual list, 37 items are noted and reviewed.

15. ———**Wyer, J. I., and Brown, M. G.** Bibliography of education for 1906. (Educ. rev. June, 34 : 47–93.)

Eighth similar annotated list of educational literature in English. Discontinued in the Educational Review and the list covering the year 1907 taken over by the Bureau of Education.

16. *Education—History.* **Anderson, L. F.** A study of mediæval schools and school work. (Ped. sem. 14 : 223–82.)

Seventy-four titles, German, Latin, French, and English, including many unusual books of rather collateral but very vital relation to the subject.

17. *Industrial education.* **Richards, C. R.** Selected bibliography on industrial education. 32 p. O. (Nat. soc. for the promotion of industrial education, Bulletin 2.)

Twenty-seven books and 88 briefer articles, all in English, are listed. The descriptive and critical notes are full. Nearly all material has appeared since 1892, relates mainly to the United States, and excludes matter on manual training and higher technical education. A subject index is prefixed.

18. *Manual training.* **Pierce, Louisa.** Bibliography of the manual arts, September, 1905 to September, 1907. (In Council of supervisors of the manual arts. Yearbooks 1906, p. 203–35; 1907, p. 139–59. Sec'y of the Council, E. D. Griswold, Yonkers, N. Y.)

This list is an annual feature. It is an annotated author list with a subject index and is of importance to any who follow the literature of the subject.

19. *Mathematics.* **Young, J. W. A.** The teaching of mathematics in the elementary and the secondary school. 351 p. D. Longmans, $1.50.

The bibliographies at the heads of the chapters form an extensive and useful collection of titles on the various phases of the pedagogy of mathematics.

20. *Play.* **Johnson, G. E.** Education by plays and games. p. 223–28.

Ninety English titles, classified under the following headings: Periods of growth; Meaning of play; Play in education; Play and games.

21. *Reform schools.* **Snedden, D. S.** Administration and educational work of American juvenile reform schools.

Brief bibliographies appear at the ends of chapters.

22. *West Virginia university.* **Leonard, P. W.** Bibliography of West Virginia university, its faculty and graduates, 1867–1907. 62 p. O. The Univ., Morgantown, W. Va.

370. EDUCATION—THEORY, PHILOSOPHY.

23. **Allen, A. W.** Home, school and vacation. 220 p. D. Houghton, $1.25.

Counsel and suggestion to parents by a mother who believes that sincere, educated, and conscientious fathers and mothers who can provide good homes should do much more of the education of their children in these homes than is contemplated in the prevalent conception of the function of the public school.

24. **Baker, J. H.** American problems; essays and addresses. 222 p. Longman's, $1.20.

Part 3 comprises 6 brief articles on educational topics: The teacher taught.—Evolution and education (a review of Hall: Adolescence).—The culture element and economy of time in education.—Electives in secondary schools.—The American university.—A national university. The pieces are thoughtful comments on current problems by a practical educator.

25. **The basis of an effective education—culture or vocation.** (School rev. May, 15: 333–74.)

Symposium by R. A. Woods, A. E. Kennelly, and A. W. Roberts at meeting of Harvard Teachers' Association.

26. **Bray, Reginald.** The town child. 333 p. D. Fisher Unwin, 7s. 6d.

Advocates State intervention and regulation throughout the whole of the upbringing of a child. The first part of the books contrasts city and country environments as to their psychological effects upon the child body and mind.

The second part describes the nature, object, and method of the ideal education which should develop the child; not only treating its general phases but discussing many specific topics, such as "feeding school children," the "religious question," the "feeding of mothers," etc.

27. **Brown, E. E.** Are we an inventive people in the field of education? (Science, 9 Aug., n. s. 26: 161–70.)

Address delivered before Phi Beta Kappa at Vassar College, June, 1907.

A short list is given of what may be called distinctively American contributions to education, but to support the author's statement that "our educational invention still lags far behind our invention in the domain of mechanism" a longer list appears of "points where our educational invention has thus far failed to do its work." The three following "problems now calling for constructive leadership" are discussed at some length: (1) Combination of the methods of the literary school with the methods of apprenticeship; (2) differentiation of woman's education; (3) international organization of education.

28. **Burbank, Luther.** The training of the human plant. 99 p. S. Century, 60c.

CONTENTS.—The mingling of races.—The teachings of nature.—Differentiation in training.—Sunshine, good air, and nourishing food.—Dangers.—Marriage of the physically unfit.—Heredity—predestination—training.—Growth.—Environment the architect of heredity.—Character.—Fundamental principles.

Thoughts and speculations as to the application of principles of plant culture to the education of children. Also in Century, May 1906.

29. **Chancellor, W. E.** A theory of motives, ideals, and values in education. 543 p. O. Houghton, $1.75.

A discussion of education as an integral part of civilization. Shows wide reading and is furnished with bibliographies and a good index. Is reviewed at length in the Dial for May 1, 1908.

30. **Cole, P. R.** Herbart and Froebel: An attempt at synthesis. 116 p. O. Columbia Univ. $1. (Teachers coll. cont. to educ. no. 14.)

A review of the educational theories of Herbart and Froebel in the light of the philosophies which they imply. A comparison and interpretation of the theories of both which concern reality, consciousness, and character. An attempt to adjust certain differences of emphasis in their respective theories.

31. **Coursault, J. H.** The learning process; or educational theory implied in theory of knowledge. 99 p. O. Columbia Univ. $1. (Teachers coll. cont. to educ. no. 16.)

Another attempt to get hold of and delimit the fundamental theory of education by detaching it from the great body of speculative philosophy. The theories of a dozen or more philosophic systems are considered, their educational implications indicated, and the resultant theory summarized.

32. **Cox, C: F.** What education is of most worth? (Bibliotheca sacra, Oct. 64: 638–60.)

33. **Darroch, Alexander.** (The) children; some educational problems. 133 p. O. Jack, 1s.

"This little book seeks to emphasize that the aim of all education is to secure the social efficiency of the future members of the state, and that this involves an endeavor to secure the physical, economic, and ethical efficiency of the children of the nation."

34. **Draper, A. S.** Addresses and papers. 132 p. O. N. Y. State Education dep't. Gratis.

CONTENTS.—Appointing officers and civil service regulations.—The nation's responsibilities concerning dependent peoples.—What next about Union University?—The schools and international peace.—The American type of university.—New York's obligations to her history.—Illiteracy in the United States.—A Federal educational plan needed.—National systems of education.—What the women's clubs may do for the schools.

35. **Hadley, A. T.** Economy in education. (N. Y. Associated academic principals. Proc. twenty-second ann. conference, p. 10–21.)

36. **Harnack, Adolf, and Herrmann, Wilhelm.** The moral and social significance of modern education. (In their Essays on the social gospel. Putnam, $1.25. p. 92–141.)

An address by Dr. Harnack in 1902 before the Evangelical Social Congress in Dortmund.

37. **Harper, J. W.** Education and social life. 315 p. D. Pitman, 4s. 6d.

This book emphasizes the effect which judiciously organized and administered education may have on social progress, and indicates that this most important educational result is sometimes minimized by too much attention to utilitarianism.

38. **Harris, W. T.** Social culture in the form of education and religion. (Congress of arts and sciences. Houghton. v. 8, p. 1–16.)

"The perennial continuance of the world-view of Christianity through the special form of social culture which belongs to the church is a necessary condition presupposed by the forms of social culture intrusted to the school."

39. **Hayward, F. H.** (The) meaning of education as interpreted by Herbart. 217 p. D. Ralph, Holland & Co., 2s.

40. **Jolly, William.** Ruskin on education; some needed but neglected elements. 167 p. S. Geo. Allen, 1s.

"A hortatory preachment, not a philosophical essay; a fervent and persuasive exposition."—London Journal of Education.

41. **Lockyer, Norman.** Education and national progress: essays and addresses, 1870–1905. 282 p. O. Macmillan, 5s.

The chapters have nearly all been previously printed in different places. Collected, they form a contribution to British educational history and policy for the period covered.

42. **Magnus, Philip.** The application of scientific method to education. (Nature, 22 Aug., 76: 434–9.)

Also in *Science*, n. s. 26: 574–86.

Opening address before the educational science section of the British Association, August 1, 1907. An argument to show that while education itself may not yet fulfill all the conditions which would justify its claim to be classed as a science, the scientific method of investigation is most effective in dealing with educational problems. Illustrates from the reform of English elementary education.

43. **Matthews, F. H.** The principles of intellectual education. 138 p. D. Cambridge Univ. press, 2s. 6d.

A dozen chapters on the theory and aims (exactness and flexibility) of education and the order in which each curriculum subject should be studied to get the greatest educational value. The point of view is distinctly Herbartian, and the tests constantly applied are interest and adaptability to correlation. The earliest formal education should be through the senses and largely by means of manual activities. Greek should be studied before Latin and modern languages before either.

44. **Owen, W: B.** Social education through the school. (School rev. Jan., 15: 11–26.)

Paper read at nineteenth educational conference of the academies and high schools in relations with the University of Chicago.

The school being a social institution in that it is itself a society, Dean Owen proposes to enlarge the functions of the school to include the general social training of the child so far as his life in the school affords opportunity, and considers the general features of a practical way of going about the work.

45. **Parker, S. C.** Finding the individual. (Jour. of ped. June, 19: 193–213.)

Are individual differences in human beings fundamental? Of what social importance are they? How may they be discovered and differentiated in formal education?

46. **Reich, Emil.** The constants of success—education. (In his Success in life. Duffield, $1.50. p. 50–123.)

Comments on the value of education in active life.

47. **Rooper, T. G.** Selected writings; edited with a memoir by R. G. Tatton. 293 p. O. Blackie, 7s. 6d.

These 19 papers have all been printed before, most of them in the author's volumes, School and Home Life, and Educational Studies and Addresses.

48. **Storms, A. B.** Democracy and education. (In N. E. A. Proc., p. 62–70.)

The function and opportunities of education in a republic. Advantages and dangers from the commercial aspects of education and research.

49. **Tyler, J. M.** Growth and education. 294 p. D. Houghton, $1.50.

A scientific study of the growth of the child, which argues for physical and moral as well as intellectual efficiency in education. To guide teacher and parent, the important facts of biology, evolution, and physiology are presented, which bear on the development of the child. There is a chapter on manual training.

370.1. PSYCHOLOGY AND EDUCATION.

See also No. 237.

50. **Bennett, C. J. C.** Formal discipline. 76 p. O. Teachers college, 50c.

Some of the psychological bearings and effects of that part of the educational process which makes for mental discipline.

51. **Keatinge, M. W.** Suggestion in education. 202 p. O. A. & C. Black, 4s. 6d.

A consideration of the practical results obtainable in teaching from the deliberate, extended, and studied use of the same psychological quality of "suggestion" that is employed in hypnotism.

52. **Schwarz, Hermann.** The study of experimental pedagogy in Germany. (School rev. Jan., 15:1–10; Sept., 15:535–43; Nov., 15:631–42.)

What psychology shows to be the most fruitful hours for class instruction and for study. Studies in fatigue as affecting the assignment of time in the school day. Value and effect of home study.

53. **Urwick, W. E.** The child's mind; its growth and training, being a short study of some processes of learning and teaching. 269 p. D. Longmans, $1.50.

An attempt to set forth in simple and, so far as possible, untechnical language some results already obtained from a study of mind growth as an organic process, and to establish a clear and definite connection between those processes of learning which the mind possesses and the methods by which it should be taught and trained. The author's object is to found the teaching and training of children on the results of psychology and biology so far as these sciences have explained the development of children's minds.

370.5. PERIODICALS.

Only new journals are included in this section. The current British journals are listed and characterized in each volume of the Schoolmaster's Yearbook.
See also No. 212.

54. **Bardeen, C. W.** Educational journalism. (N. E. A. 50th anniv. vol. p. 506–514.)

Brief notes supplementing earlier and fuller data in N. E. A. Proceedings, 1893, and School Bulletin, volumes 19–20. The journals are named with editors and dates published. Estimates are seldom attempted.

55. **Social education quarterly** and proceedings of the Social education congress; edited by C. A. Scott. 6 Kirkland road, Cambridge station, Boston, $2 per year.

Number one appeared in March, 1907, and the three numbers for that year are filled with the papers read at the Social Education Congress, November 30, 1906.

370.6. ASSOCIATIONS AND SOCIETIES.

The volumes of proceedings of certain American educational associations are noted in this section. A list of British societies with officers and brief sketch of each is found in the Schoolmaster's Yearbook for each year.

56. **Association of American universities.** Journal of proceedings and addresses of the eighth annual conference held in Cambridge, Mass. Nov. 23–24, 1906. 111 p. O. Assoc. No price.

57. **Association of colleges and preparatory schools of the middle states and Maryland.** Proceedings of the twentieth annual convention held at Philadelphia, Nov. 30–Dec. 1, 1906. 144 p. O. A. H. Quinn, Secy., Univ. of Pa. Philadelphia. No price.

58. **Association of colleges and preparatory schools of the southern states.** Proceedings of the thirteenth annual meeting, Birmingham, Ala. Nov. 7–8, 1907. 89 p. O. J. H. Kirkland, Sec. Vanderbilt Univ. Nashville, Tenn.

59. **Catholic educational association.** Report of the proceedings and addresses of the fourth annual meeting, Milwaukee, Wis., July 8–11, 1907. 396 p. O. Rev. F. W. Howard, Sec. 1651 E. Main St., Columbus, O. No price.

60. **Conference for education in the south.** Proceedings of the tenth annual conference, Pinehurst, N. C. April 9–11, 1907. 300 p. O. S. C. Mitchell, Richmond college, Richmond, Va. No price.

61. **Congress of arts and sciences,** universal exposition, St. Louis, 1904; edited by Howard J. Rogers. Volume 8, Education and religion. 493 p. O. Houghton, $2.50.

The most important papers which were not separately published in 1904–5 have been entered in this bibliography under their proper subjects.

62. **Educational associations.** (N. E. A. 50th anniv. vol. p. 453–506.)

Brief accounts of the origin, growth, and work of 14 American associations. The information presented has never before been collected, and it is well to have these contributions.

63. **Michigan schoolmasters' club.** Proceedings at the forty-second meeting held in Ann Arbor, Mar. 27–30, 1907. 150 p. Q. Ann Arbor, 50c.

64. **Monroe, W. S.** Recent international congress at Liège. (N. E. A. 50th anniv. vol. p. 351–355.)

66. **National education association.** Journal of proceedings and addresses at the forty-fifth annual meeting held at Los Angeles, Cal., July 8–12, 1907. 1102 p. O. Irwin Shepard, Winona, Minn., $2.

Certain of the papers are separately noted under the proper headings in other parts of this bibliography. An account of the important business done at the Los Angeles meeting is found in the October–December number of the Forum, p. 228–33.

67. **National educational association.** Fiftieth anniversary volume 1857–1906. 949 p. O. Irwin Shepard, Winona, Minn., $2.

Includes Proceedings and papers of the department of superintendence at Louisville, February, 1906; a notable report on instruction in library administration in normal schools; 13 important papers specially prepared for this volume by members in America and other lands; a chapter sketching the history of various educational associations, and a wealth of statistical and bibliographical matter relating to the N. E. A. itself. Many of the articles in this volume are indexed separately under proper subject in this bibliography.

68. **National society for the scientific study of education.** Sixth year book. 2 pts; O. Univ. of Chic. press, $1.28.

Pt. 1.—Vocational studies for college entrance. Pt. 2.—The kindergarten.

69. **National union of teachers.** Thirty-seventh annual report, 1907 and list of members for 1906. 432 p. O. N. U. T. 1s.

A handbook giving statistics and regulations about the N. U. T., list of associations in the union, names and addresses of members, and much general information relating to English teachers.

70. **N. Y. (state)—Associated academic principals.** Proceedings of the twenty-second annual conference . . . 1906. 98 p. O. Albany, Educ. dept. No price. (Secondary education bulletin 36.)

71. **N. Y. (state)—Education department.** Forty-fourth university convocation. 116 p. O. Alb. No price. (Department Bulletin 4.)

Certain of the papers are entered separately in this bibliography.

72. **New York state association of school commissioners and superintendents.** Proceedings of the 51st annual meeting at Cornell university, Ithaca, Oct. 3–5, 1906. 104 p. O. N. Y. State Education dep't. Gratis.

Concerned with the rural schools of New York State.

370.7. THE STUDY OF EDUCATION.

See also material on normal schools in section 371.12.

73. **Rein, Wilhelm.** The place and office of pedagogy in the university. (Congress of arts and sciences. Houghton. v. 8, p. 50–63.)

Examines the nature and contents of the formal science and art of pedagogy, and discusses its relations with other subjects and the function and purpose of teaching it.

370.9. HISTORY OF EDUCATION.

History of higher education and of individual colleges and universities is under section 378 and its geographical subdivisions. For matter on systems of secondary education, which is current chronicle to-day but will be history to-morrow, see section 379.5.

General.

74. **Anderson, L. F.** A study of mediæval schools and school work. (Ped. sem. June, 14: 223–82.)

Author has brought together and grouped under numerous captions relating to history, curriculum, and methods of work many bits of educational information dug from books not commonly quoted in such a connection. Bibliography, p. 280–282.

75. ——— Study of the prototypes of the modern non-professional school among the Greeks and Romans. (Ped. sem. Mar., 14: 1–38.)

Description of early Greek and Roman education, giving the character and methods of instruction. Bibliography, p. 37–38.

76. **McEvoy, T. J.** Epitome of history and principles of education. 267 p. D. Author, 306 Fulton st., Brooklyn. No price.

Not a connected narrative or history, but 47 syllabi arranged in approximate chronologic order; apparently designed to help teachers or normal students prepare for examination.

77. **Turner, William.** Irish teachers in the Carolingian revival of learning. (Catholic univ. bulletin, July, 13: 382–99; Oct. 562–81.)

An account of the literary activity of the Irish scholars of the ninth and tenth centuries, based upon manuscripts found in the libraries of Germany, France, and Italy.

78. **Walsh, J. J.** The thirteenth—greatest of centuries. 436 p. O. Catholic summer school press, $2.50.

Lectures delivered at the school. Chapters 2–7 and 9 discuss mediæval universities and their work, the arts and crafts, technical schools, popular education, books, and libraries.

Alaska.

79. **Jackson, Sheldon.** Report on education in Alaska. (U. S.—Education, Comm'r of. Reports for 1905. 1: 267–91; 1906, 1: 237–55.)

The usual annual statistical reviews, with chapter on the Government reindeer herd.

Canada.

80. **Coleman, H. T. J.** Public education in Upper Canada. 120 p. O. Columbia Univ. $1. (Teachers coll. cont. to educ. no. 15.)

A selective, descriptive, and interpretative study of public education only in what is now the Province of Ontario, from 1791 to 1841, with a brief added chapter enumerating tendencies since the latter date. It covers much the same period; is not so broad in scope as Doctor Ross's school system of Ontario, but goes more thoroughly into cause, effect, and significance of events.

Europe.

81. **Great Britain—Education, Board of.** Schools public and private in the north of Europe. 136 p. O. (Special reports on educational subjects. v. 17.)

Prepared by J. S. Thornton, as result of fourteen years' acquaintance with and study of the schools of Norway, Sweden, Finland, and Denmark. As Gilchrist traveling scholar in 1900 and again in 1903 the author visited Scandinavia and studied the school systems at first hand with this monograph in mind. It discusses secondary education only, and dwells upon the hearty cooperation between public and private schools, the uniform examinations system common to both, and the training of secondary school teachers under masters of selected secondary schools.

France.

82. **Education in France.** (U. S.—Education, Comm'r of. Reports for 1905. 1 : 57–86; 1906, 1 : 19–34.)

The usual annual surveys of current educational movements, with so much of retrospect as clearness demands. Covers primary, secondary, and higher education and gives many statistics.

83. **Friedel, V. H.** Problems of secondary education in France. (School rev. Mar., 15 : 169–83.)

Author is an official in the French education department. An account of the main features of the reforms in the reorganization of secondary education in 1902.

84. **Great Britain—Education, Board of.** The education and training of the French primary school teacher. 222 p. Q. (Special reports on educational subjects. v. 18.)

More fully described under No. 141.

85. **Levasseur, P. E.** On the developments and changes in primary teaching in France during the Third Republic (1870–1906). (N. E. A. 50th anniv. vol. p. 408–417.)

Germany.

86. **Paulsen, Friedrich.** The past and the future of German education. (N. E. A. 50th anniv. vol. p. 430–445.)

A translation of Book 4, Chapter 3, of Das deutsche Bildungswesen.

Great Britain.

87. **Dunraven, Windham, Thomas Wyndham Quin, Earl of.** Educational chaos. (In his The outlook in Ireland. Dutton, $3. p. 111–37.)

An account of present conditions, prejudices, and denominational feeling about Irish education, with some positive suggestions for betterment.

88. **Education in Great Britain and Ireland, 1904–6.** (U. S.—Education, Comm'r of. Report for 1906. 1 : 1–17.)

89. **Godfrey, Elizabeth,** *pseud.* English children in the olden time. 336 p. O. Methuen, 7s. 6d.

The chapters on Nurture in king's courts; Concerning pedagogues; Educational theories; The genteel academy and the dame school, and The superior parent offer much information about the English education of the fifteenth to the eighteenth centuries.

90. **Strong, John.** The development of secondary education in Scotland. (School rev. Oct., 15 : 594–607; Nov., 15 : 671–83; Dec., 15 : 718–30.)

Traces its development from 1100 to the present. Gives a diagrammatic scheme of present Scottish education.

Greece.

See also No. 201.

91. **Freeman, K. J.** Schools of Hellas; an essay on the practice and theory of ancient Greek education from 600 to 300 B. C. 299 p. O. Macmillan, $1.90.

A young Englishman, scholar of Trinity College, Cambridge, senior chancellor's medalist, and who died at the age of 24, prepared this volume with a view to his candidature for a fellowship of Trinity. Competent critics assert that it has a substantive value as presenting results of first-hand research, and that it brings together conveniently and accurately the materials for studying the subject.

India.

92. **Public education in British India.** (U. S.—Education, Comm'r of. Report for 1906. 1: 123–40.)

Reviewing the years 1902–5.

Italy.

93. **Monroe, W. S.** Progress of education in Italy. (U. S.—Education, Comm'r of. Report for 1906. 1: 73–90.)

Japan.

94. **Kikerchi, D.** Japanese education. (Nineteenth cent. June, 61: 1012–23.)

An explanation of the circumstances which led to the issue of the Imperial rescript on education in 1890.

Liberia.

95. **Ellis, G. W.** Education in Liberia. (U. S.—Education, Comm'r of. Report for 1905. 1: 111–29.)

The author is United States secretary of legation at Monrovia.

Philippines.

96. **Educational problems in the dependencies.** (Annals Amer. acad. July, 30: 65–89.)

An educational policy for Spanish-American civilization—M. G. Brumbaugh. Education and social progress in the Philippines—D. P. Barrows. Position and work of the Roman Catholic Church in the Philippines—T. B. Lawler.

Porto Rico.

97. **Lindsay, S. M.** Inauguration of the American school system in Porto Rico. (U. S.—Education, Comm'r of. Report for 1905. 1: 293–344.)

A résumé of social and educational conditions in Porto Rico before American occupation, a brief sketch of the rather discouraging attempts of the military authorities to organize a new system, and a more extended account of the work done under the civil government since 1900. Doctor Lindsay, from his personal experience, reviews the work of Porto Rican and American teachers, the provision for native students in the United States, and the history of educational legislation for the island, and ventures some comments on the future.

Rome.

See also No. 201.

98. **Teetgen, A. B.** Education in the fifth century. (In her Life and times of the Empress Pulcheria. Sonnenschein, 10s. 6d., p. 37–47.)

Describes the education of a patrician girl in Rome.

Russia.

99. **Simkhovitch, V. G.** History of the school in Russia. (Educ. rev. May, 33: 486–522.)

Shows that while some attention has been paid from the end of the 17th century to professional, higher, and secondary education, elementary education is still sadly neglected.

Servia.

100. **Low, D. H.** Education in Servia. (Jour. of educ. (Lond.) Nov., n. s., 28: 736–39.)

Outlines the organization of elementary, secondary, and special schools.

South America.

101. **Baxter, Sylvester.** School and college in Brazil and Argentina. (Outlook, 10 Aug., 86: 780–7.)

Turkey.

102. **Monroe, W. S.** Education in Turkey. (In his Turkey and the Turks. Page, $3. p. 161–81.)

Sketches the present facilities furnished by the Turkish Government and by schools founded and maintained by foreigners or by missionaries. The censorship of books and newspapers is described.

United States.

See also section 378, subhead United States, section 379.15, and section 379.5, subhead United States.

103. **Brown, E. E.** Fifty years of American education. (N. E. A. 50th anniv. vol. p. 327–341.)

A topical review of history, movements, tendencies, and accomplishments.

104. **Burns, J. A.** Catholic colonial schools in the French possessions. (Catholic univ. bulletin, Apr., 13: 175–90.)

Includes a description of the first parochial school for girls in the United States, founded at New Orleans 1727 by the Ursuline sisters.

105. ——— Early Jesuit schools in Maryland. (Catholic univ. bulletin, July, 13: 361–81.)

States that the arrival of the Jesuits in Maryland marks the beginning of Catholic educational work in the English colonies.

106. ——— Early mission schools of the Franciscans. (Catholic univ. bulletin, Jan., 13: 25–43.)

An account of the earliest schools in the United States, which preceded by four years the oldest schools in the thirteen original colonies. Includes schools in New Mexico, Texas, Florida, and California.

107. **Gilman, D. C.** Five great gifts to education. (Outlook, July, 86: 648–57.)

Includes brief description of gifts made by George Peabody, John F. Slater, John D. Rockefeller, Andrew Carnegie, and Mrs. Russell Sage.

108. **Johnson, Clifton.** The country school. 158 p. O. Crowell, $1.50.

This book is an almost verbatim reprint (with one very short added chapter on schoolhouse entertainments) of the author's Country School in New England, published by Appleton in 1893.

109. **Meriwether, Colyer.** Our colonial curriculum, 1607–1776. 301 p. O. Capital pub. co., $2.

"Devoted to the study of what was actually taught then and how it was actually done. All of the subjects, in all grades of institutions, are taken up in order and treated so as to show as nearly as possible what was the aim, what was the method, and what was the result of teaching then."

110. **Monroe, W. S.** History of the Pestalozzian movement in the United States. 244 p. O. Bardeen, $2.

"The purpose of the present work is to place on record the labors of a score of men who caught something of Pestalozzi's insight and enthusiasm and who sought to bring about the adaptation of his reforms to conditions in the new world." *Preface.*

The most important chapters are those on the work of William McClure and Joseph Neef. A useful and extensive bibliography is appended.

111. **U. S.—Education, Bureau of.** Reports of the commissioner of education for the years ending June 30, 1905, and June 30, 1906. 4 v. O. Government printing office.

These volumes are smaller than usual and more largely statistical. It is gratifying to note that the statistics are more nearly up to date, and that it is still possible to devote half of volume 1 of each year to the reviews of educational progress in other lands and to the selected articles on current topics which have so long made this report of special interest and value.

112. **Young, E. F.** The educational progress of two years, 1905–07. (In N. E. A. Proc. 383–405.)

Deals with American conditions and events only. A more informal chronicle of current educational happenings is furnished by O. H. Lang to each number of the Forum.

Iowa.

113. **Abernethy, Alonzo.** History of Iowa Baptist Schools. 340 p. D. Woolverton pub. co., Osage, Ia. $1.25.

The author writes at first hand from a life of over 50 years in Iowa and personal acquaintance with the schools and workers described.

114. **Buffum, H. S.** Federal and state aid to education in Iowa. (Iowa journal of history and politics. Oct. 1906, 4 : 554–98; Jan.–July, 1907, 5 : 3–45, 147–92, 311–25.)

Michigan.

115. **The beginnings of the educational system. Educational progress.** (Utley, H. M., and Cutcheon, B. M., *eds.* Michigan as a province, territory and state. $20 for 4 v. vol. 3, chap. 15 and vol. 4, chap. 20.)

Pennsylvania.

116. **Burns, J. A.** Catholic colonial schools in Pennsylvania. (Catholic univ. bulletin, Oct., 13 : 582–600.)

A description of some of the most prominent schools and teachers from the time of their establishment by Jesuit missionaries from Maryland.

Texas.

117. **Hartmann, C. G.** A study in school supervision with special reference to rural school conditions in Texas. 180 p. Q. (Bulletin of the Univ. of Texas, no. 90.)

370.92. BIOGRAPHY.

Who's Who in America is a current directory of living educators; Who's Who and the Schoolmaster's Year Book for English educators. The N. E. A. list of members who have died during each year is printed in each annual volume of *Proceedings.*

118. **Mellen, G. F.** New England college presidents in the south. (New Eng. mag. June, 36 : 468–80.)

Brief sketches of prominent New Englanders who administered colleges of the old South.

119. *Brooks, Charles.* **Albree, John.** Charles Brooks and his work for normal schools. 31 p. O. Author (Swampscott, Mass.), gratis.

Reprinted from the Historical Register, vol. 10, no. 1, Jan., 1907, published by the Medford Historical Society.

120. *Davidson, Thomas.* **Knight, William.** Memorials of Thomas Davidson the wandering scholar, collected and edited by William Knight. 241 p. O. Ginn, $1.25.

Twenty-one chapters; recollections, sketches, estimates of Davidson by friends; selections from his letters, lectures, and writings.

121. *Guarino de Verona.* **McCormick, P. J.** Two Catholic medieval educators. II. Guarino de Verona. (In Catholic univ. bulletin, April, 13: 232–49.)

122. *Herbart, Johann Friedrich.* **Compayré, Gabriel.** Herbart and education by instruction. 142 p. D. Crowell, 90c.

Translation of a volume in series Les grands éducateurs, published in Paris in 1904. Save for a brief biographic chapter and one on the spread and influence of Herbart's work, the book is a critical synopsis of his systems of psychology, education, and morals.

123. *Krüsi, Hermann.* **Krüsi, Hermann.** Recollections of my life. An autobiographical sketch supplemented by extracts from his personal records and a review of his literary productions together with selected essays, arranged and ed. by Elizabeth Sheldon Alling. 439 p. O. The Grafton press, $2.50.

One thousand copies printed.

124. *Magill, Edward Hicks.* **Magill, E. H.** Sixty-five years in the life of a teacher 1841–1906. 323 p. D. Houghton, $1.50.

Record of a long, varied, and interesting career of an ex-president of Swarthmore College and long a prime mover for advancement of higher education in Pennsylvania. Contains an account of the early history of the elective system.

125. *Mann, Horace.* **Compayré, Gabriel.** Horace Mann and the public school in the United States. 134 p. D. Crowell, 90c.

A brief biography which may rank with Hinsdale's Horace Mann and the Common School Revival in the United States.

126. *Pestalozzi, Johann Heinrich.* **Compayré, Gabriel.** Pestalozzi and elementary education. 139 p. D. Crowell, 90c.

First published in French in 1902, now first translated. Characterized by sympathetic treatment.

127. *Rooper, Thomas Godolphin.* **Tatton, R. G.** Memoir of T. G. Rooper. (In Rooper, Selected writings. Blackie, 7s. 6d. pref. p. 15–94.)

128. *Rousseau, Jean Jacques.* **Compayré, Gabriel.** Jean Jacques Rousseau and education from nature. 120 p. D. Crowell, 90c.

Translation of a French monograph first published in 1901. A synoptic and critical sketch.

129. *Spencer, Herbert.* **Compayré, Gabriel.** Herbert Spencer and scientific education. 119 p. D. Crowell, 90c.

First published in France in 1901, and in translation forms a most considerable critique of Mr. Spencer as an educator only.

371. TEACHERS, METHODS, DISCIPLINE.

371.1. TEACHERS.

Material on teachers as distinct from teaching is included in this section. Methods of teaching is section 371.3.

130. **Lang, O. H.** The status of the teacher in the United States: Observations of a German educational expert. (Forum, July, 39: 60–71.)

A review of the book Volksschule und Lehrerbildung der Vereinigten Staaten . . . written by Dr. F. Kuypers, a member of the German educational commission that spent seven weeks in this country in 1904. Author discusses feminization of our schools, equal pay for equal work, compulsory education, and the fact that there seemed to him to be no real profession of teaching in this country.

131. **New York City teachers' association.** Report of the committee on the promotion of teachers. 75 p. O. The ass'n, gratis.

A study of the methods of promotion in over 50 cities, with separate accounts of the systems in New York, Chicago, St. Louis, Boston, London, and Baltimore.

132. **Palmer, G: H.** The ideal teacher. (Atlantic, Apr., 99: 433–42.)

Declares that "teaching as a trade is poor and disappointing business, but entered as a profession there are few employments more satisfying."

133. **Plan for official advisory organization of the teaching force of Chicago.** (Elem. school teacher, Feb., 7: 305–10.)

Report of the subcommittee of the school management committee of the board of education of Chicago, appointed to report upon the whole subject of an advisory organization of the teaching body. The resulting plan provides for a representation of the teachers when educational matters are considered by the Chicago school board. See also editorial in same number, p. 361–367.

134. **Spaulding, F. E.** The unassigned teacher in the schools. (School rev. Mar., 15: 201–16.)

Describes the work of the teacher without a class, with special mention of experiences in Newton, Mass. Devotes much attention to a discussion of the evils of rigid grading.

135. **Tuell, H. E.** The public school teacher and promotional examinations. (Educ. Dec., 28: 217–23.)

Comments upon the new system of promotional examinations for teachers in Boston and states facts to prove that ability to pass a required examination can not be a satisfactory test of a teacher's merit.

136. **Van Storm, Ashley.** Minimum qualifications of the elementary teacher. (In N. E. A. Proc. p. 239–52.)

371.12. TRAINING OF TEACHERS.

See also section 370.7.

137. **Bolton, F. E.** The preparation of high school teachers: what they do receive and what they should receive. (School rev. Feb., 15: 97–122.)

Discusses existing State legislation designed to secure good high school teachers. There is great lack of uniformity in requirements for teaching and of effective laws to eliminate poor teachers. American standards are compared with German.

138. **Bolton, F. E.** The relation of the department of education to other departments in colleges and universities. (Jour. of ped. Dec. 1906–Mar. 1907, 19: 137–76.)

"An attempt is made to show clearly the proportions which the work has assumed, class of students accepted, the kind of work prepared for, the intimate relation which the department bears toward the rest of the institution, the relation to the State, and the distribution of the work within the department." Many of the data presented were secured by a questionnaire.

See also No. 145, below.

139. **Chabot, Charles.** The professional training of teachers in France. (Congress of arts and sciences. Houghton. v. 8, p. 176–91.)

Address at the St. Louis exposition, 1904.

140. **Great Britain—Education, Board of.** . . . General report on the instruction and training of pupil-teachers, 1903–1907, with historical introduction. Presented to both houses of Parliament. 219 p. Q. ([Gt. Brit. Parliament. Papers by command] Cd. 3582.)

The 30-page historical introduction is of special value.

141. ——— ——— The education and training of the French primary school teacher. 222 p. O. (Special reports on educational subjects. v. 18.)

CONTENTS.—Curricula of French higher primary schools, pp. 1–82; Life in a French higher primary school, by A. M. Saville, pp. 83–124; Summary of official regulations affecting the training and position of teachers in State primary schools in France, by H. E. Matheson; The French training college system, by B. Dumville, pp. 159–222.

Farrington: The Public Primary School System of France, 1906, while covering much the same ground, is fuller in historical material than the present volume and less detailed in presentation of curricula and their contents. The professions of primary and secondary teacher in France are entirely distinct, and the slight opportunities for the pupil-teacher contrast strongly with English and American methods.

142. **Ladd, A. J.** École normale supérieure; an historical sketch. 61 p. O. Herald pub. co., Grand Forks, N. D. 50c.

Doctor's dissertation, Michigan, 1904.

143. **National education association.** Report of the committee of seventeen on the Professional preparation of high-school teachers. (In N. E. A. Proc. p. 523–668.)

The introduction (15 pages) was published in School Review, Sept., 1907, and the entire report is also published separately.

144. **Ruedeger, W: C.** Recent tendencies in the normal schools of the United States. (Educ. rev. Mar., 33: 271–87.)

A comparative study, based chiefly on data obtained from 51 pairs of normal school catalogues, ten years apart, showing changes in normal school work and conditions as to equipment, students, and contents of curriculum.

145. **Sutton, W. S.** The organization of the department of education in relation to the other departments in colleges and universities. (Jour. of ped. Dec. 1906–Mar. 1907, 19: 81–136.)

An historical survey of the professional education of teachers is followed by a discussion of its present status in America, based upon responses to a questionnaire and disclosing great variety in the plans of organization in 42 institutions. Brief mention is made of the study of education in leading foreign universities.

Two appendixes are:

A. Table showing courses in education at German universities, 1905–6.

B. Historical data concerning evolution of the professional education of teachers in American colleges and universities, with plans for the organization of educational work therein.

371.16. TEACHERS' SALARIES.

146. **Association of men teachers and principals of the city of New York.** The grounds of opposition to the White bill. 48 p.

During its 1907 session the legislature of the State of New York gave much attention to a bill (senate 1218) providing for an increase in the salaries of certain women teachers in the schools of New York City. When the bill reached Governor Hughes he vetoed it, and his objections are printed in full in Educational Review, September, 1907, pp. 211–213. The above pamphlet prints the text of the bill and some arguments against "equal pay for equal work," regardless of sex. The bill was reintroduced in the session of 1908, but failed of passage.

147. **The compensation of college teachers.** (In Association of colleges and preparatory schools of the middle states and Maryland. Proc. of twentieth annual convention, 1906. p. 18–44.)

Papers by J. D. Moffatt, J. B. Fletcher, and E. E. Hale, jr., with discussions by W. A. Lamberton and Thomas Fell.

148. **Cooley, E. G.** The basis of grading teachers' salaries. (In N. E. A. Proc. p. 94–103.)

149. **Cotton, F. A.** Teachers' salaries and how affected by the operation of the minimum-salary law. (N. E. A. 50th anniv. vol. p. 132–141.)

The author, State superintendent for Indiana, describes the law in that State and how it works. In the discussion similar laws in Pennsylvania and West Virginia are described.

150. **Fletcher, J. B.** The compensation of college teachers. (Educ. rev. Jan., 33 : 77–86.)

Paper read before annual meeting of the Association of Colleges and Preparatory Schools of the Middle States and Maryland at Philadelphia, November, 1906.

Shows that the responsibility for reform in the matter of the compensation of college teachers rests with the faculty.

151. **Hutchins, H. B.** Should men bearing the same title in any institution receive the same pay. (In Association of American universities. Journal of proceedings and addresses of eighth annual conference, 1907. p. 92–99.

152. **McAndrew, William.** Where education breaks down. (Educ. rev. Jan., 33 : 11–23.)

A résumé of the salary conditions among teachers, comparing them with those in other callings. The author complains of a lack of professional enthusiasm and on this point is answered by Isabella M. Blake in same volume, pp. 522–526.

153. **Stillman, J. M.** Relations of salary to title in American universities. (In Association of American universities. Journal of proceedings and addresses of eighth annual conference, 1907. p. 72–91.)

Also in Science, February 25, pp. 241–259.

Concludes that a maximum efficiency of university work and a minimum of administrative difficulty resulting from inequalities in pay in the same grade will be attained by a minimum or normal salary for each grade by reasonable increases dependent upon length of efficient service and with freedom to recognize unusual ability or distinguished service as the requirements of the case may demand. Article closes with quotations from answers to a circular letter sent to presidents and faculty members.

154. **Tanner, A. E.** Salaries of women teachers in institutions of collegiate rank. (Ass'n of collegiate alumnæ. Special bull. Ser. 3, no. 15.)

Discusses maximum and minimum salaries in 14 American women's colleges.

155. **Van Sickle, J. H.** What should be the basis for the promotion of teachers and the increase of teachers' salaries? (N. E. A. 50th anniv. vol. p. 177–183.)

Describes the new arrangement in Baltimore.

371.17. PENSIONS FOR TEACHERS.

156. **The best means of introducing the pension system into American universities. Discussion.** (In Association of American universities. Journal of proceedings and addresses of eighth annual conference, 1907. p. 64–71.)

The Carnegie Foundation is the theme.

157. **Carnegie foundation for the advancement of teaching.** Papers relating to the admission of state institutions to the system of retiring allowances of the Carnegie foundation. 45 p. Q. (Bulletin no. 1.)

As the Foundation bases the distribution of its pensions on the qualifications of institutions, not individuals, it is necessarily concerned with the organization and curricula of those institutions which wish to share in its funds. This Bulletin is the first of a series which will furnish data as to entrance requirements, financial resources, and equipment of many American universities and colleges.

158. ——— Second annual report of the president and treasurer. 124 p. Q. 576 Fifth ave., N. Y. No price.

It is remarkable how rapidly and how intelligently the work of this great foundation has progressed in two years. The standardizing of American institutions for higher education is a by-product of the financial work of the foundation. The statistical and historical material included in this report is of reference value.

159. **Jastrow, Joseph.** Advancement of teaching. (No. Amer. rev. 7 Oct., 186 : 213–24.)

Commends the spirit of the Carnegie Foundation for the Advancement of Teaching, but opposes the exclusion of State universities. Believes that increase of salary would be more effective in the advancement of teaching than the most liberal of pension systems.

160. **Keyes, C: H.** Teachers' pensions. (In N. E. A. Proc. p. 103–08.)

Statement of reasons why pensions should be provided for teachers in public schools, and account of some ways in which the matter is managed in the United States.

371.2. ORGANIZATION AND ADMINISTRATION OF THE SCHOOL; THE SUPERINTENDENT.

See also section 379.15 and the papers read at the meeting of the N. E. A. Department of Superintendence, and printed in the annual volume of Proceedings.

161. **Allen, W. H.** School efficiency. (In his Efficient democracy. Dodd, Mead, $1.50. p. 113–41.)

A study of the statistical method as basis for intelligent progress in conducting the school. Shows what is lost in school efficiency by lack of proper methods of record and later use of such records as correctives and guides.

162. **Jackman, W. S.** Relation of school organization to instruction. (Pop. sci. mo. Feb., 70 : 120–33.)

Paper read before the Social Education Congress, Boston, November, 1906, indicates some of the most important changes needed in present school organization in order that the school may be operated as a social institution.

371.23. VACATION SCHOOLS.

163. **Great Britain—Education, Board of.** School excursions and vacation schools. 89 p. O. (Special reports on educational subjects. v. 21.)

In a brief historical introduction school excursions are traced back to the traveling scholars of the Middle Ages. The French Alpine club and the holiday home at Contrexéville are briefly noticed, after which follow chapters on vacation schools, country schools for backward children, and school journeys. These are mainly descriptions of the methods and work of specific examples, chiefly in England. The volume is the work of J. E. G. de Montmorency.

371.25. CLASSIFICATION OF PUPILS.

See also No. 134.

164. **Garber, J: P.** A rational system of classification and promotion. (Educ. Jan., 27: 288–302.)

Discusses advantages and disadvantages of several of the commoner methods of classification, states some of the fundamental principles which should underlie a rational system of grading, and notes certain fallacies connected with classification and promotion.

371.28. PROMOTIONS.

165. **Hartwell, C: S.** Liberating the lower education. (School rev. June, 15: 436–58.)

Discusses quality, not quantity, for promotion, and three-year high school courses, giving tabulated statistics, compiled from questionnaires sent to various classes of educators.

166. ——— Promotion by subject and three-year courses. (School rev. Mar., 15: 184–96.)

Shows some of the evils of rigid grading and quotes actual experiences to prove that flexibility in grading is entirely practicable. While the past tendency has been to sacrifice the child to the system, it is being more generally recognized that system must yield to the child.

371.3. METHODS OF INSTRUCTION.

For methods in special subjects, see section 375 and its subdivisions. See also Nos. 33, 37, 43.

167. **Adamson, J: W.,** *ed.* (The) practice of instruction; a manual of method, general and special. 512 p. D. National Society's Depository, 4s. 6d.

The "general" chapters fill 125 pages, treating the theory of education with emphasis on Herbart's psychology and discussing the curriculum as a whole. Then 8 chapters as follows: Religious instruction—A. C. Headlam. The mother tongue—J. W. Adamson. Geography—A. J. Herbertson. History—M. A. Howard. Mathematics—A. H. Baker. Natural science—T. P. Nunn. Latin and Greek—W. H. D. Rouse. Modern languages—W. M. Poole.

168. **Bagley, W: C.** Classroom management; its principles and technique. 322 p. D. Macmillan, $1.25.

"The author intends his work for the student of education in normal schools and colleges who is preparing for elementary teaching. He has gathered his data from observing good teachers, from text-books, from his own experience, and from psychology. The routine factors of class-room management start with the daily programme, punctuality, hygiene, order, discipline, and penalties. Attention he treats under several laws and then discusses the technique of class instruction, giving a whole chapter to the Batavia system. He tells how he would test results, dispose of the teacher's time, treats of the teacher's relations to the principal, supervisor, and superintendent, and concludes with the ethics of school craft." Pedagogical Seminary.

169. **Chapin, C: S.** Departmental teaching in the grammar grades. (Educ. Apr., 27: 505–14.)

Considers the whole subject still in the experimental stage. Cites the chief arguments, pro and con, followed by a statement of the conditions necessary for success.

170. **Harris, W. T.** How the superintendent may correct defective classwork and make the work of the recitation teach the pupil how to prepare his lesson properly. (N. E. A. 50th anniv. vol. p. 341–351.)

171. **Kilpatrick, V. E.** The adaptation of departmental teaching to elementary schools. (Educ. rev. Apr., 33: 356–67.)

An examination of the principles underlying departmental teaching is followed by a detailed statement of how it may be undertaken by any elementary school.

172. **Mahony, J: J.** The problem of the poor pupil. (Educ. Dec., 28: 197–212.)

Describes the Batavia system of individual instruction and flexible grading schemes of several cities, and acknowledges that plenty of valuable experimenting has been done, but lack of cooperation has led to no educational doctrine. What is most needed now is an attempt through an intelligent application of pupil study, through a close cooperation between the home and the school, to discover just why the pupil is poor.

173. **Sachs, Julius.** The departmental organization of secondary schools. (Educ. Apr., 27: 484–96.)

The proper conception of departmental organization in the high school involves much more than mere specialization. The hope of a real departmental organization must lie in the broad training and accurate attainments of the teachers.

174. **Theobald, H. C.** (The) Filipino teacher's manual. 260 p. D. World Book Co., $1.50.

175. **Winterburn, R. V.** Methods in teaching; being the Stockton methods in elementary schools. 355 p. D. Macmillan, $1.25.

The Stockton methods are those used in the schools of Stockton, Cal., and attention was called to them by striking exhibits at the St. Louis and Portland expositions. Hundreds of letters to the Stockton school board asking for details determined them to print this book, which is edited by a former supervisor of English and history. "The Stockton methods seek to employ all the mental faculties of the child simultaneously in order to accomplish their union as soon as possible."

371.42. MANUAL TRAINING.

See also a chapter in No. 49.

176. **Council of supervisors of the manual arts.** Yearbooks 1906–7. v. 6–7. The Sec'y. Hastings-on-Hudson, N. Y. $3 each.

The papers treat chiefly of the actual work in the school in drawing, design, woodwork, and specific handicrafts or trades.

177. **The development of an adequate course of study in manual training for elementary grades.** (In N. E. A. Proc. 760–78.)

1. From the point of view of the teacher of manual arts, by A. Ahrens.
2. From the point of view of child study, by F. B. Dresslar.
3. From the point of view of the school superintendent, by C: H. Keyes.

178. **Harvey, L. D.** Manual training in the grades. (Elem. school teacher, Mar., 7: 390–407.)

Emphasizes and estimates the value of manual training to the individual, and favors its use in all of the 12 grades.

371.5. GOVERNMENT, DISCIPLINE, PUNISHMENT.

See also No. 210, below.

179. **Griffiths, F. P.** Student self-government at the University of California. (University of California chronicle, July, 9: 240–55.)

180. **Thompson, W. O.** Self-government by students in school and college. (Social education quarterly, Mar. 1: 41–53.)

371.52. ATTENDANCE.

181. **Thorndike, E. L.** The elimination of pupils from school. 63 p. O. Government printing office. U. S.—Education Bureau. Bulletin 4, 1907.)

A statistical study, carefully done and accurately grounded, of what pupils stay in school, how long they stay, what grades they reach, and why they leave. The significance of the results for the immediate problems of school administration are briefly suggested.

371.55. CORPORAL PUNISHMENT.

182. **Du Bois, Patterson.** The failure and immorality of corporal punishment. (In his Culture of Justice. Dodd, Mead, 75c. p. 209–27.)

371.6. SCHOOL BUILDINGS AND FURNITURE.

183. **Boston—School committee.** Report of committee of oculists and electricians on the artificial lighting and color schemes of school buildings. 20 p. O. (Boston School Doc. 1907, no. 14.)

Gives chart of colors recommended for walls; of location of lights in standard schoolroom; cuts and full description of the tungsten-light fixtures recommended.

184. **Olsen, J. W.** Rural school architecture. (N. E. A. 50th anniv. vol. p. 141–148.)

Two plans and elevations are given for one and two room buildings costing, respectively, $800 and $2,800.

185. **Two recent high schools.** (Architects and builders' magazine, Mar. n. s. 8: 251–65.)

Includes description and plans of the Jersey City high school and the De Witt Clinton high school, New York City.

186. **Wisconsin—Dept. of education.** The school beautiful, by Maud Barnett. 94 p. Q. C. P. Cary, state superintendent, Madison.

Minute, practical suggestions and directions for securing more attractive and healthful school buildings and grounds. Helpful plans and pictures.

371.64. SCHOOL LIBRARIES; LIBRARIES AND SCHOOLS.

See also the papers printed in the N. E. A. Proc., pp. 961–982, under the library department.

187. **Axon, W. E. A.** The library in relation to knowledge and life. (Congress of arts and sciences. Houghton. v. 8, p. 203–15.)

188. **Biagi, Guido.** The library—its past and future. (Congress of arts and sciences. Houghton. v. 8, p. 216–29.)

After sketching the rise and development of libraries, Doctor Biagi forecasts the future, which, he thinks, will be particularly marked by international cooperation, the use of photography, the gramophone, and a greatly increased use of the card.

189. **Crunden, F. M.** The library in education. (Congress of arts and sciences. Houghton. v. 8, p. 195–202.)

190. **MacDowell, L. I.** A public school library system. (Educ. rev. Nov., 34 : 374–84.)

Contains practical suggestions for the organization of a successful school library. Describes the systems in New York City, Utica, Newark, Baltimore, Chicago, and St. Louis. Lays special stress on the advantages of class libraries.

371.7. SCHOOL HYGIENE.

An important second triennial congress on school hygiene was held in London, August 5–10, 1907. Its papers have not been published, but accounts of the meeting are in Pedagogical Seminary, December, 1907; Nineteenth Century, September, 1907, pp. 388–394, and London Journal of Education for September, 1907, pp. 607–610.

191. **Ainge, T. S.** The ventilation of school buildings. (Jour. Mich. med. soc. June, 6 : 271–80.)

192. **Clay, Arthur.** School feeding question in England. (Charities, 19 Jan., 17 : 699–707.)

Brief account of the various recent English experiments with this work. Verdict rather against its usefulness.

193. **Cronin, J: J.** Doctor in the public school. (Rev. of Rev. Apr., 35 : 433–40.)

Startling results of rigid medical inspection in New York City.

194. **Douglas, C. C.** The laws of health; a handbook on school hygiene. 240 p. D. Blackie, 3s.

Principally physiological.

195. **Elkington, J. S. C.** Health in the school; or hygiene for teachers. 192 p. D. Blackie, 2s.

196. **McMillan, Margaret.** Labour and childhood. 205 p. D. Sonnenschein, 3s. 6d.

Chapter 9, "The hygiene of instruction," states the case for medical inspection. Chapter 10, "The school doctor in other lands," is an account of what has been done in Germany, mainly in Wiesbaden, while chapter 11, "The school doctor at home," tells what has not been done in England, and why and how more should be done.

The book is not about child labor, but a study of education through labor, with emphasis upon the part which good health plays in it.

197. **New York committee on physical welfare of school children.** An examination of the home conditions of 1400 New York school children found by school physicians to have physical defects. (Amer. statistical ass'n. Quarterly publications. June. 10 : 271–316.)

Present the startling conclusion that if the 1,400 children examined are representative American school children there are 12,000,000 children in the United States so defective physically as to need attention. A comprehensive plan of medical inspection and instruction in hygiene is given. This investigation is a result of the now famous Associated Press item from Washington in 1905 that 70,000 New York children went breakfastless to school.

198. **Richards, H. M.** The medical inspection of school children. (Jour. Royal Sanitary Inst. July, 28 : 251–63.)

199. **Scott, W. D.** Sacrifice of the eyes of school children. (Pop. sci. mo. Oct., 71 : 303–12.)

Excessive destruction begins several years earlier than was formerly the case in America, and earlier than is still the case in Germany and other foreign

countries. Badly lighted schoolrooms come in for their share of blame, but author believes the fact that our infants are reading more books both in and out of school is largely responsible for the poor eyesight of children.

371.73. PHYSICAL TRAINING; GYMNASTICS; ATHLETICS.

See also papers printed in the N. E. A. Proc., pp. 925–950.

200. **Derby, R. A.** College athletics. (Outlook, 5 Oct., 87: 254–8.)

Protests against present conditions, and urges the adoption of a new system which will lessen rivalry in intercollegiate athletics and generalize the interest.

201. **Fuld, L. F.** Physical education in Greece and Rome. (Amer. phys. educ. rev. Mar., 12: 1–14.)

202. **Grant, P. S.** Physical deterioration among the poor in America. (No. Amer. rev. 1 Feb., 184: 254–67.)

203. **Hetherington, C. W.** Analysis of problems in college athletics. (Amer. phys. educ. rev. June 12: 154–81.)

204. **Johnson, G. E.** Education by plays and games. 234 p. D. Ginn, 90c.

This revision of a "questionnaire" study in the Pedagogical Seminary in 1894 is a useful and practical contribution from the superintendent of playgrounds, recreation parks, and vacation schools in Pittsburg.

205. **Lowman, G. S.** Regulation and control of competitive sport in the secondary schools in the United States. (Amer. phys. educ. rev. Sept., 12: 241–55; Dec., 12: 307–23.)

A summary of the answers to a questionnaire sent to 881 schools. The September issue includes public schools and the December issue private schools and academies. Author concludes that athletics in academies are in healthier condition and better managed than athletics in public high schools.

206. **Newcomb, Simon.** University athletics. (No. Amer. rev. 21 June, 185: 353–64.)

Condemns present system of athletics. Believes physical development of our students will be best promoted by entirely abandoning intercollegiate contests and making games of strength purely local and personal affairs.

207. **Sargent, D. A.** The academic value of college athletics. (Educ. Feb., 27: 317–25.)

Advocates the recognition of the educational value of physical training and athletics as a remedy for many of the present abuses and evils. Suggests making them essential features of the college curriculum with due academic credit.

208. **Stewardson, L. C.** Physical training and athletics. (Educ. rev. Nov., 34: 385–97.)

A plea for reform in college athletics. What is needful at present is not condemnation, but sympathetic treatment of the whole problem by those who know what sport is.

371.8. STUDENT LIFE, CUSTOMS, SOCIETIES.

209. **Copeland, Arthur.** Men and days in Phi Beta Kappa. 143 p. O. Du Bois, $1.

A brief account of the origin and growth of the society, with list of chapters, distinguished members, the constitution, and a more particular account of the chapter at Syracuse University by which this volume is issued.

210. **Cronson, Bernard.** Pupil self-government; its theory and practice. 107 p. D. Macmillan, 90c. net.

This work treats first the genesis of the movement and the causes of its success and failure and its relations to the teachers. Obedience is its means, appreciation its method, and life activities its material. As to conditions, there must be a proper ideal, competent principal and teachers, gradual introduction of the scheme, and power to enforce it. One chapter discusses the ethics of the movement, its relations to life, at home, out of doors, in school, and to individual welfare; its influence in enforcing obedience to law, its relations to citizenship, common welfare, the government, and especially the rise of representative government, are treated. There are eight full-page illustrations and plenty of blank sheets for notes. Author is principal of Public School 3, Manhattan, N. Y.

371.9. EDUCATION OF SPECIAL CLASSES.

See also papers printed in N. E. A. Proc., pp. 983–999, under the department of special education.

211. **Maennel, B.** (The) auxiliary schools of Germany. 137 p. O. Government printing office. (U. S.—Education Bureau. Bulletin 3, 1907.)

A free translation of Vom Hilfsschulwesen, a recent German account of the educational provisions in that country for backward, defective, and subnormally endowed children. Full statements are given as to admission procedure, health conditions, classification of pupils, the curriculum, and methods of discipline and instruction. The monograph should be useful wherever such work is being done or is to be attempted in this country.

212. **The Psychological clinic:** A journal for the study and treatment of mental retardation and deviation; edited by Lightner Witmer. Published by Psychological clinic press, Philadelphia, $1 per year.

First number appeared in March, 1907. Published primarily in the interest of a large class of children who manifest different degrees of retardation in mental and moral development. It presents the results of investigation conducted mainly through examination and treatment of individual mental and moral peculiarities. It will also take cognizance of all forms of special work for mentally and physically defective children and juvenile delinquents and dependents. Of interest to physicians, social workers, psychologists, and educators. The following important articles appeared in 1907:

A method for determining the extent and causes of retardation in a city school system, by J. E. Bryan. The fifteen months' training of a feeble-minded child, by Lightner Witmer. Public day schools for backward children, by C. H. Town. Need for special classes in the public schools, by J. D. Heilman. Mental condition of juvenile delinquents, by I. H. Coriat. Retardation through neglect in children of the rich, by Lightner Witmer.

213. **Snedden, D. S.** Administration and educational work of American juvenile reform schools. 207 p. O. Columbia Univ. $2. (Teachers coll. cont. to educ. no. 12.)

Describes the educational ideals, methods, and results of these institutions, which are so distinctly apart from our general system of public or private education.

214. ——— The public school and juvenile delinquency. (Educ. rev. Apr., 33: 374–85.)

Urges that "between the parent on the one hand (with the cooperation of his church) and the public school on the other (representing the State in its contribution to the custody and education of children) there should be no middle ground left to the unorganized efforts of charity and voluntary effort, however well-meaning these may be."

371.94. NEGRO EDUCATION.

215. **Hampton negro conference.** Eleventh annual report. 109 p. O. Hampton, The institute press. Published as the Hampton bulletin, vol. 3, no. 3.

W. T. B. Williams; Colored public schools. pp. 39–53.

371.95. INDIAN EDUCATION.

See also papers printed in the N. E. A. Proc., pp. 1001–1030, under the department of Indian education. The annual report of the superintendent of United States Indian schools to the Commissioner of Indian Affairs gives current news affecting the education of the Indian.

216. **Indian rights association.** Twenty-fourth annual report for the year 1906. 104 p. O. 1305 Arch st., Phil.

216a. **Lake Mohonk conference of friends of the Indian and other dependent peoples.** Proceedings of the twenty-fifth annual meeting, Oct. 23–25, 1907. 207 p. O. H. C. Phillips, Mohonk lake, N. Y. Gratis.

372. ELEMENTARY EDUCATION.

See the N. E. A. Proc., pp. 475–519, for papers read in the department of elementary education.

For additional material on elementary education see The Elementary School Teacher, published monthly, except during July and August, by the University of Chicago elementary school.

See also nos. 26, 53, 136.

All material on child study has been omitted, as this subject is thoroughly covered in the annual bibliography compiled by L. N. Wilson; that for 1906 appears in the Pedagogical Seminary, 14: 329–354.

217. **Bridgham, Alice.** Day by day in the primary school. 3 v. O. Barnes, $4.

CONTENTS.—v. 1, The autumn months; v. 2, the winter months; v. 3, the spring months.

A programme of suggestions, hints, and directions for enriching, planning, and carrying out schoolroom work on every day of the year. Prepared by a primary teacher who has proved its value in her own school. Covers all subjects. Accompanied by many simple outline sketches and diagrams for blackboard and paper work.

218. **Chapin, C. S.** Departmental teaching in the grammar grades. (Educ. Apr., 27: 505–14.)

A summary of chief arguments pro and con.

219. **Great Britain—Education, Board of.** The education and training of the French primary school teacher. 222 p. Q. (Special reports on educational subjects. v. 18.)

More fully described under No. 141.

220. **Horace Mann elementary school.** (Teachers coll. record, Jan., 8: 1–104; May, 8: 167–248; Sept., 8: 249–350.)

Continuing articles which appeared in January and September, 1906, and were devoted to a description of the work in the first, second, and third grades. The January number of the present volume covers the fourth and fifth grades, the May number the sixth grade, and the September number the seventh.

221. **Kilpatrick, V. E.** The adaptation of departmental teaching to elementary schools. (Educ. rev. Apr., 33: 356–67.)

An examination of underlying principles, with a detailed statement of how it may be undertaken by any elementary school.

222. **Thomas, A. B.** (The) first school year; a course of study with selection of lesson material, arranged by months, and correlated for use in the first school year. 208 p. D. Flanagan, 60c.

372.2. KINDERGARTEN.

For additional kindergarten material see the files of the Kindergarten Review, the Kindergarten Primary Magazine, and the N. E. A. Proc., p. 455–74.

223. **International kindergarten union.** Proceedings of the fourteenth annual meeting, New York, April, 1907. 136 p. O. Anna H. Littell, Secy., 3 Forest ave., Dayton, O.

224. **National society for the scientific study of education.** The Kindergarten and its relation to elementary education. 138 p. O. (Yearbook 6, pt. 2.)

Thoughtful papers containing much cogent argument and admirable statement. They are: The psychologic basis of the kindergarten—E. A. Kirkpatrick; An interpretation of some Froebelian principles—Maria Kraus-Boelté; Conservative and progressive phases of kindergarten education—Patty S. Hill; Evolution of the kindergarten problem—Harriette M. Mills; History of kindergarten influence in elementary education—Nina C. Vandewalker. Reviewed in Kindergarten Magazine, February, 1908, pp. 224–226.

373. PRIVATE SECONDARY SCHOOLS.

Great Britain.

225. **Leach, A. F.** History of Warwick school. 278 p. O. Constable, 10s.

226. **The public schools from within;** a collection of essays on public school education, written chiefly by schoolmasters. 320 p. O. Low, 3s. 6d.

Thirty-two short chapters on the subjects of instruction, moral and social influences, physical and athletic life, historical and descriptive. Reviewed in Athenæum, May 4, 1907.

375. THE CURRICULUM: METHODS IN SPECIAL BRANCHES.

See also Nos. 109, 392.

All discussions of special subjects are here, whether they concern university, college, special school, secondary or elementary school, except as they relate to college entrance requirements. For those, see section 378.01.

227. **De Garmo, Charles.** Principles of secondary education; a text-book. 299 p. D. Macmillan, $1.25.

A separate description and analysis of the content of each secondary school study to determine its inherent and comparative educational value, and upon the basis of the values thus established to further determine the best possible combination of studies into curricula. One-third of the book is filled with representative programmes of the various types of secondary schools in this and other countries.

The book is planned as a text-book for college and university classes. A second volume is to follow in 1908.

228. **Greenwood, J. M.** A seven-year course for elementary schools and a five-year course for secondary schools. (Educ. May, 27: 550–55.)

A continuation of the author's argument in Education for April and May, 1903, favoring a seven-year course in the grades. He does not believe that the year thus saved should be added to the high school course.

375.04. ELECTIVE STUDIES.

229. **Adams, C. F.** Some modern college tendencies. (In his Three Phi Beta Kappa addresses. Houghton, $1. p. 101–47.)

A summary of objections to the elective system. In a "Supplementary Note" added since this address was first printed in Educational Review, 32: 132, Mr. Adams replies to his critics.

375.2. THE TEACHING OF THEOLOGY.

230. **Berle, A. A.** The education of a minister. (Bibliotheca sacra, Apr., 64: 283–98.)

The great need is "real effective training of the minister with some relation to the things he is going to do."

231. **Berle, A. A.** Rout of the theological schools. (Bibliotheca sacra, July, 64 : 566–87.)

232. **Buckham, J. W.** Modern theological education. (Bibliotheca sacra, Jan., 64 : 135–47.)

Discusses the curriculum of theological seminaries, and states that a comparison of the courses offered by prominent seminaries of different denominations proves that all theological education is in a state of transition.

375.3. THE TEACHING OF SOCIOLOGY.

233. **Ellwood, C: A.** How should sociology be taught as a college or university subject? (Amer. jour. of soc. Mar., 12 : 588–06.)

375.34. LEGAL EDUCATION.

234. **American law school review**; an intercollegiate law journal. v. 2, Nov. 1906 to Dec. 1907; 3 numbers. West pub. co.

Reports the annual meeting of the Association of American Law Schools, and prints short articles of value and interest to law students.

235. **Symposium on the value of humanistic, particularly classical, studies as a preparation for the study of law,** from the point of view of the profession. (School rev. June, 15 : 409–35.)

I. Value to the lawyer of training in the classics, by Merritt Starr.
II. Study of Greek and Latin as a preparation for the study of law, by Lyden Evans.
III. Humanistic, and particularly classical, studies as a preparation for the law, by H. B. Hutchins.
IV. Discussion of first three papers, by H. P. Davock.
V. Discussion of the first three papers, by H. E. Spalding.
VI. Concluding remarks, by L. I. Barbour.
VII. Appendix to paper of Mr. Merritt Starr.
Papers read at the Classical Conference at Ann Arbor, Mich., March, 1907.

236. **Vance, W: R.** Legal education in the South. (Geo. Washington univ. bulletin. v. 6, no. 3, p. 18–27.)

Also in Proceedings of the American Bar Association, 1907. An account on present conditions and opportunities.

375.4. LANGUAGE IN THE CURRICULUM.

237. **O'Shea, M. V.** Linguistic development and education. 347 p. D. Macmillan, $1.25.

A study of the psychology of linguistic development in young children and its relations to and significance in the formal teaching of languages. The study is based upon close observation of several children (the author's own, we strongly suspect) for a term of years, upon the results of experimental language teaching in model schools, and upon personal investigations of methods of language teaching at home and abroad.

375.5. SCIENCE IN THE CURRICULUM.

238. **Mann, C. R.** The meaning of the movement for the reform of science teaching. (Educ. rev. June, 34 : 13–25.)

Read at annual meeting of North Central Association of Colleges and Secondary Schools at Chicago, March, 1907.

239. **New York state science teachers association.** Proceedings of the eleventh annual conference, N. Y. City. Dec. 26–27, 1906. 185 p. O. Albany, Educ. dept. No price. (Secondary education bulletin 34.)

240. **Woodhull, J. F.** Science for culture. (School rev. Feb., 15: 123–33.)

Science can make for humanism instead of, as too often now, for mere information and utility. To do so, however, it should be divorced from syllabus and examination.

375.507. NATURE STUDY.

For additional material on nature study consult the files of the Nature Study Review. Material on school gardens is found in section 375.63.

241. **Bigelow, E: F.** (The) spirit of nature study; a book of social suggestion and sympathy for all who love or teach nature. 222 p. D. A. S. Barnes & Co., $1.

375.51. MATHEMATICS.

242. **Myers, G: W.** The year's progress in the mathematical work of the University high school. (School review, Oct., 15: 576–93.)

Describes the methods in use at the Chicago University high schools for testing a modern curriculum for high school mathematics.

243. **Newcomb, Simon.** The teaching of arithmetic. (N. E. A. 50th anniv. vol. p. 86–102.)

244. **Tilley, C: E.** Accuracy in mathematics and science. (Educ. Apr., 27: 467–77.)

How to secure it in greater measure.

245. **Young, J. W. A.** (The) teaching of mathematics in the elementary and the secondary school. 351 p. O. Longmans, Green & Co., $1.50.

An exposition of the pedagogy of mathematics in elementary and secondary grades. Various distinct methods are described and compared. Many useful miscellaneous points of method and mode are treated. Chapters on the preparation of the teacher and the material equipment are followed by the most extensive and important part of the book, the teaching of arithmetic, geometry, and algebra. Full bibliographies accompany the text.

375.6. TECHNICAL AND INDUSTRIAL EDUCATION; ENGINEERING.

See also papers printed in the N. E. A. Proc., pp. 1031–1061, under the department of technical education. See also section 371.42, manual training, and No. 412 below.

246. **Behrend, B. A.** Engineering education. 26 p. Q. B. A. Behrend, S. Norwood, Ohio, gratis.

Reprinted from the Electrical World, January 5, 1907.

247. **Burks, J. D.** Democracy in education. (Elem. school teacher, Nov., 8: 130–42.)

An argument for the introduction of vocational training into the public schools. Shows that the loss of pupils in the upper elementary grades is due to the ill-adaptation of our educational organization. Concludes that adequate provision for vocational training, beginning at about the sixth year of school, would tend to prolong the school life and increase the vocational efficiency of the great mass of children.

Also in N. E. A. Proceedings, 1907, pp. 787–796, with different title.

248. **Citizens' trade school convention.** Proceedings and addresses given at Indianapolis, June 10–12, 1907. 53 p. O. Winona Technical institute, gratis.

Addresses by Frank Gunsaulus, J. A. Emery, P. M. Kling, Walter H. Page, J. W. Van Cleave, Anthony Ittner, Arthur D. Dean.

249. **Draper, A. S.** Our children, our schools and our industries. 48 p. O. N. Y. State Educational dep't, gratis.

A strong showing of the utter inadequacy of American facilities for trade and industrial education, as compared especially with Germany.

250. **Duncan, R. K.** Temporary industrial fellowships at Kansas University. (No. Amer. rev. 3 May, 185 : 54–62.)

Established by commercial houses.

251. **Haney, J. P.** Vocational work for the elementary schools. (Educ. rev. Nov., 34 : 335–46.)

Considers the necessity of offering some form of vocational training in the elementary school, and recommends that for certain schools a modified form of the course of study be arranged to permit vocational training in the seventh and eighth years.

252. **Howard, E. D.** Cause and extent of the recent industrial progress of Germany. 147 p. O. Houghton, $1.

In a chapter on industrial education stress is laid upon the intimate relation of school training to vocation. The character and extent of the general and industrial continuation schools are described.

253. **Industrial education.** (School rev. May, 15 : 375–99.)

Symposium by C. H. Thurber, H. J. Skeffington, and C. W. Hubbard at Harvard Teachers' Association. Second paper discusses the attitude of the trade-union and workingman. Third paper outlines effective industrial schools for a small factory community.

254. **Jackson, D. C.** Relations of engineering schools to polytechnic industrial education. (Science, 26 July, n. s. 26 : 104–11.)

255. **Jones, A. J.** (The) continuation school in the United States. 157 p. O. Government printing office. (U. S.—Education Bureau. Bulletin 1, 1907.)

This monograph argues the need of such schools by statistics showing the rapid decline of school attendance after the age of industrial worth is reached. It indicates briefly how much more extensive and efficient German and English schools of this type are than our own. The work of many typical American schools is described, and finally the place and purpose of the continuation school in our system of education are defined.

256. **Kehew, M. M.,** *ed.* The movement for industrial education (Charities and the commons, 5 Oct., 19 : 803–64.)

A survey of present opportunities and immediate and future needs in the vocational training of American boys and girls.

CONTENTS.—H. S. Pritchett—A national society for the promotion of industrial education. S. M. Kingsbury—What is ahead for the untrained child in industry? Ralph Albertson—Decay of apprenticeship. P. H. Hanus—Industrial education in Massachusetts. C. F. Warner—Industrial training in the public schools. C. R. Richards—Private trade schools for boys. M. S. Woolman—Private trade schools for girls. F. M. Marshall—The public school and the girl wage-earner. R. A. Woods—Industrial education from the social worker's standpoint. A. G. Bookwalter—Continuation work.

257. **Mass.—Commission on industrial education.** First annual report. 71 p. O. State printers. (Public document 76.)

Massachusetts appreciates the need for and possibilities in industrial education, and in providing an effective machinery for moving in the matter. This report of a permanent commission takes as a starting point the conclusions presented by a preliminary commission last year. It covers less than a year, is inevitably little more than a clearing of the ground and a statement of the most obvious and urgent parts of a programme, chief among which is cooperation

with local authorities in the founding of schools for technical and industrial education; yet it is of great interest and suggestiveness as indicating some conclusions and problems which have been reached by a careful study of the situation in one of our greatest industrial States.

258. **National association of manufacturers**—Committee on industrial education. Report at twelfth annual convention, N. Y. City, May 20–22, 1907. (In Proceedings, p. 110–38.)

Discusses the necessity for trade schools and the attitude of labor unions toward them, and describes some of the newer American technical schools.

259. **National education association.** Report of the committee on industrial education in schools for rural communities. (In N. E. A. Proc. 409–54.)

Supplementary to report of July, 1905. Describes some effective and successful experiments in industrial education.

260. **National society for the promotion of industrial education.** Bulletins 1 to 4. 1907. C. R. Richards, Teachers college, N. Y. City.

1. Proceedings of the organization meetings.
2. Bibliography on industrial education.
3. Symposium on industrial education.
4. Industrial training for women, by Florence M. Marshall.

261. **Person, H. S.** Industrial education; a system of training for men entering upon trade and commerce. 86 p. O. Houghton, $1.

This volume, which is one of the prize essays in the Hart, Schaffner & Marx series, deals with the training required by young men who would fit themselves for the higher positions in industry or commerce, and the need of providing such training in the United States. The need is now generally admitted. The author's opinion clearly is that while commercial training should be offered in high schools, collegiate courses, and professional departments, the ideal conditions can be found only in distinctly professional instruction, open solely to those who have already completed a liberal education. The question here raised is a large one, about which, as is well known, there is serious difference of opinion.

262. **Richards, C. R.** The problem of industrial education. (Manual training mag. April, 8: 125–32.)

Brief analysis of the economic, social, and educational aspects of the problem, with a statement of the functions and limitations of the various existing agencies for industrial training.

263. **Rollins, Frank.** Industrial education and culture. (Educ. rev. Dec., 34: 494–503.)

Address before Schoolmasters' Association of New York and Vicinity, Oct., 1907.

264. **Sadler, M. E.,** *ed.* Continuation schools in England and elsewhere; their place in the educational system of an industrial and commercial state. 779 p. O. Sherratt & Hughes, 8s. 6d. (University of Manchester publications. Educational ser. No. 1.)

An important volume, in which are collected careful and competent accounts of the history and present status in Great Britain, of the various agencies for "further education," with 8 brief chapters on such schools in the chief European countries and the United States. The contributions of 18 different authors have been carefully edited by Professor Sadler (himself a considerable contributor), and the result is a veritable cyclopedia of information hitherto widely scattered or quite inexistent.

265. **Snowden, A. A.** The industrial improvement schools of Wuerttemberg. (Teachers coll. record, Nov., 8: 351–423.)

Report presented is the outcome of some weeks spent in Wuerttemberg during an investigation of vocational training in Europe.

"It sets forth briefly the economic conditions which hold in the kingdom of Wuerttemberg, the natural resources of the country, and the system of transportation. It then traces the development in this environment of the system of industrial schools and the service which they render in the upbuilding and maintenance of the state."

It also includes a brief description of other industrial and commercial schools of the kingdom, and an outline of the activities of the Wuerttemberg central bureau for industry and commerce.

266. **Social education quarterly.** June, 1907. 97 p. O.

Contains the following papers: The place of industrial education in the common school system, by F. P. Fish. Industrial education in a prairie State, by E. B. Andrews. American industrial training as compared with European, by F. A. Vanderlip. The problem of industrial education, by C. R. Richards. The needs from the manufacturers' standpoint, by M. W. Alexander. The importance of industrial education to the workingman, by John Golden. Bearings of industrial education upon social conditions, by R. A. Woods.

267. **Stratton, G: F.** Rising industrial problems: the new apprenticeship. (Eng. Mag. Dec., 34: 401–13.)

Indicates that the attitude of trade unions is hostile to attempts to recruit industrial workers through trade schools, but that they prefer and encourage shop training.

268. **Vanderlip, F. A.** Trade schools and labor unions. (In his Business and education. Duffield, $1.50. p. 56–81.)

Great emphasis is laid upon the need for continuation trade schools to train, not the captains of industry, but the rank and file of the American industrial army. The German schools of this sort are cited as good examples. The slight comments on the attitude of labor and labor unions to such training are unimportant and argue that better-trained workmen will change the labor view point.

375.61. MEDICAL EDUCATION.

See also section 371.7 for material on school hygiene and medical inspection of schools. A list of American medical schools is in Journal of the American Medical Association, August, 1907, 49: 576–96.

269. **American academy of medicine.** Report of the committee on the value of the first degree in our American colleges. (Amer. acad. of med. Bulletin, Aug., 8: 193–248.)

Final report presented to 32d annual meeting of the American Academy of Medicine, at Atlantic City, June 1, 1907. A full discussion of the academic problems of medical education. While no conclusions were definitely stated, the tenor of the report indicated opposition to a full college course before the medical school, but favored a combined college and medical course, with subjects closely related to medicine begun early in the college work. A conference was recommended to discuss the subject further, which met in Pittsburg, January 1–2, 1908, and its discussions appear in the Bulletin for February, 1908.

270. **Armstrong, H. E.** The reform of the medical curriculum: a problem in technical education. (Science progress in the 20th century, 1: 544–56.)

Rejoinder by J. Wade, pp. 635–649.

271. **Conference on the teaching of hygiene and temperance in the universities and schools of the British Empire.** 129 p. D. John Bale, Sons & Danielsson. 2s.

Held in London, April 23, 1907. The papers discuss the teaching of these subjects in Canada, Australia, New Zealand, France, Scandinavia, and England.

272. **Long, J. H.** Preliminary medical education. (Science, 11 Oct., n. s. 26: 457–64.)

Based on a report to the council on medical education of the American Medical Association, April 29, 1907, which is in the Journal of the American Medical Association for May, 1907.

273. **Medical education in Scotland.** (Scottish med. and surg. jour. Oct., 21 : 325–66.)

Gives curriculum and regulations at Edinburgh, Glasgow, and Aberdeen universities.

274. **Nutting, M. A.** The education and professional position of nurses. U. S.—Education, Comm'r of. Report for 1906. 1 : 155–205.)

A monograph prepared in 1904. Considers the subject in the United States only.

275. ——— and **Dock, L. L.** History of nursing. 2 v. O. Putnam, $5.

Chapters 4, 8, and 9, in volume 2, narrate the founding of the first training schools for nurses in England and America.

276. **Semon, Felix.** English and German education : a parallel. (British med. jour. Nov., 118 : 1197–1206.)

Address delivered at opening meeting of medical society of Manchester, October 16, 1907. A detailed comparison of the methods of medical education in Great Britain and Germany. Advocates modification of the present English preliminary education.

277. **Tucker, W. G.** Educational democracy. 23 p. O. Albany, no price.

Reprinted from Albany Medical Annals, November, 1907, and in Science for November 8, 1907. Address delivered at the opening of seventy-seventh session of the Albany Medical College, September 24, 1907. Criticises the tendency toward absolute control of the practice of medicine by State licensing boards, and indicates some of the present tendencies in medical education which call for restraint.

278. **Williams, W: R.** The teaching of medicine. (Educ. rev. Dec., 34 : 466–77.)

Traces the growth of instruction, beginning with the methods in ancient Greece. Deals with American conditions, showing the present tendency to increase opportunities for gaining practical knowledge.

375.63. AGRICULTUAL EDUCATION.

See also papers printed in the N. E. A. Proc. pp. 1063–1084, under the conference of national committee on agricultural education.

279. **Association of American agricultural colleges and experiment stations.** Proceedings of the twentieth annual convention held at Baton Rouge, La., Nov. 14–16, 1906, and twenty-first annual convention held at Lansing, Mich., May 28–30, 1907. O. (U. S.—Experiment stations, Office of, Bulletins 184, 196.)

280. **Channing, F. A.** What agricultural education means to-day. (Fortn. rev. May, 87 : 785–97.)

Deals with conditions in England. Shows that the most urgent need is rural secondary schools.

281. **Crosby, D. J.** Exercises in elementary agriculture—Plant production. 64 p. O. Government printing office. (Office of experiment stations. Bulletin 186.)

A laboratory guide for teachers, showing what may be done with simple exercises and inexpensive apparatus.

282. **Davis, C: W.** Rural school agriculture. 300 p. D. Orange Judd co., $1.

283. **Iles, George.** Dr. Robertson's work for the training of Canadian farmers. (Rev. of Rev. Nov., 36 : 576–84.)

284. **Jewell, J. R.** Agricultural education, including nature study and school gardens. 140 p. O. Government printing office. (U. S.—Education Bureau. Bulletin 2, 1907.)

"Presents an unusually comprehensive survey of the provisions for agricultural education and for instruction in closely related lines in various parts of the world, but with especial reference to the United States."

285. **Latter, L. R.** School gardening for little children. 167 p. D. Sonnenschein, 2s. 6d.

Aims to show the place of nature teaching in kindergartens and schools and the method by which the subject should be approached with young children. Originally printed in The Practical Teacher.

286. **Medd, J. C.** Agricultural education in the United Kingdom. (Nineteenth cent. Jan., 61 : 108–18.)

Shows the need of national supervision of agricultural education and offers suggestions for improving the present teaching of the subject.

287. ——— The Village school. (Nineteenth cent. Nov., 62 : 758–69.)

Elementary agricultural education and school gardens in England.

288. **N. Y. (state)—Education department.** Syllabus for secondary schools; Agriculture. 37 p. O. Albany, no price.

Outline of a 3-period course for one year, preferably in the second year of high school. Reference books are suggested and many laboratory exercises described.

289. **Roosevelt, Theodore.** The man who works with his hands; address at the semi-centennial of the founding of agricultural colleges in the United States at Lansing, Mich., May 31, 1907. 14 p. O. (U. S. Dept. of Agriculture. Circular 24.)

290. **Somerville, William.** (The) place of rural economy in a university curriculum; an inaugural lecture delivered at the schools on February 1, 1907. 28 p. O. Clarendon Press, 35c.

Mr. Somerville is the present Sibthorpian professor of rural economy at Oxford. A review of the creation and development of higher agricultural education in England, and a sketch of possible further developments in it as a subject of instruction and research at Oxford.

291. **The teaching of agriculture in the schools of France and Belgium.** (U. S.—Education, Comm'r of. Report for 1905. 1 : 87–96.)

Gives outlines of courses in schools of all grades and compares the work in France and England.

292. **Tormay, Béla de.** Agricultural instruction in the kingdom of Hungary. (N. E. A. 50th anniv. vol. p. 445–451.)

293. **Watkins, W. E., and Lowman, A.** School gardening. 103 p. D. Philip, 2s. 6d.

375.64. DOMESTIC SCIENCE.

294. **Creighton, Louise.** Some modern ideas about women's education. (Nineteenth cent. Oct., 62 : 578–86.)

Discusses the proper scope for the teaching of domestic economy in the schools of England. Believes "there is ground for fear that the higher side of women's education will not be sufficiently taken into account by the education authorities and that utilitarian considerations will be allowed too much scope." Also in Littell's Living Age, 255 : 408–16.

Mainly a protest against what the author would call the new craze of teaching domestic science to girls. She questions whether there is any scientific basis for such teaching.

295. **Great Britain—Education, Board of.** School training for the home duties of women. Part 3. 121 p. O. (Special reports on educational subjects. v. 19.)

The domestic training of girls in Germany and Austria in elementary, secondary, technical, and continuation schools.

375.65. COMMERCIAL EDUCATION.

See also papers printed in N. E. A. Proc., pp. 877–903, under the department of business education.

296. **Heelis, F.** How to teach business training. 156 p. D. Pitman and sons, 2s. 6d.

A guide for the commercial master in day and evening schools.

297. **Jastrow, Joseph.** Higher education for business men in the United States and Germany. (U. S.—Education, Comm'r of. Report for 1905. 1: 97–110.)

Translated from Berliner Jahrbuch für Handel und Industrie, 1904, volume 1. The author was sent by the Berlin chamber of commerce to study American methods of preparing young men for business.

298. **Social education quarterly.** June, 1907. 97 p. O.

Contains the following papers: Domestic and international commerce, by W. P. Wilson. The social improvement of grammar school graduates in business life, by E. A. Filene. The effect upon the community consequent upon the thorough training of young women to enter business life, by Henry Lefavour. The functions of the university in commercial education, by J. T. Young.

375.7. ART EDUCATION.

See also papers printed in the N. E. A. Proc., pp. 821–848, under the department of art education, and the files of The School Arts Book.

299. **American institute of architects.** Committee on education. Report at Chicago, Nov. 19, 1907. 9 p. O.

300. **Cram, R. A.** Architectural education in the United States. (In his Gothic quest. Baker and Taylor, $1.50. p. 323–55.)

Especially during the last decade.

301. **Ives, H. C.** Art education an important factor in industrial development. (U. S.—Education, Comm'r of. Report for 1905. 1: 155–83.)

375.78. MUSICAL EDUCATION.

See also papers printed in the N. E. A. Proc., pp. 849–876, under the department of music education.

302. **Johnson, C. E.** (The) training of boys' voices. 60 p. O. Oliver Ditson Co., 75c.

Author is a choirmaster. One chapter is on "Music in schools," and following the one on "Selection of music for boys' voices" there are lists of sacred and secular music suited to boys' voices.

375.82. ENGLISH LANGUAGE AND LITERATURE IN THE CURRICULUM.

See also Nos. 411, 414.

303. **Baker, G: P.** Travelers' English. (Educ. Apr., 27: 448–57.)

Criticises the careless, everyday English of the average undergraduate. Pleads for simple, accurate English. Believes the prevalent inaccurate English of students could be avoided if each school required that the English of its pupils in translations from French, German, Latin, or Greek, and reports and exercises of all kinds should be regarded in assigning the mark for the course in question. In an article on pp. 458–466 Doctor Thorndike points out the bearing of psychology on the question of securing accuracy by formal methods.

304. **Course of study in English.** The call for it, the character of it and the construction of it. Report of the New England ass'n of teachers of English. (School rev. Oct., 15: 559–75.)

Concludes that a syllabus in English is needed; that it should be catholic enough to exercise a steadying and unifying influence over a wide area.

305. **Greenwood, J. M.** Language teaching. (Educ. rev. June, 34: 26–36.)

From report of city superintendent of schools, Kansas City, Mo. Full of practical suggestions. Believes best results are reached when pupils are so taught that instruction leads them to consecutive thought in expressing themselves in writing and conversation.

306. **Hartog, P. J.,** and **Langdon, A. H.** The writing of English. 176 p. D. Frowde, 2s. 6d.

Text of this book is "The English boy cannot write English;" the author points out the almost total lack of effective language training in English schools, and compares it with mother-tongue teaching in France, greatly to the credit of the latter. This book is a distinct contribution to history of style.

307. **Logan, J. D.** Quantitative punctuation; a new practical method based on the evolution of the literary sentence in modern English prose. 45 p. D. William Briggs, Toronto, 50c.

308. **MacClintock, P. L.** Literature in the elementary school. 305 p. D. Univ. of Chicago Press, $1.

This book, the central matter of which appeared in Elementary School Teacher in 1902 and a synopsis in 1904, is the fruit of several years' experience in teaching literature in Prof. John Dewey's laboratory school at the University of Chicago. The book lays special stress on care in choosing material and in viva voce presentation.

309. **Mahy, M. C.** Aesthetic appreciation of literature in secondary education. (School rev. Dec., 15: 731–43.)

A protest against the statement that no secondary teacher can hope for more than intellectual appreciation of the masterpieces of literature on the part of pupils.

310. **Robertson, S. A.** The teaching of English in schools which study no foreign language. (Jour. of educ. (Lond.) Apr., n. s. 28: 286–90.)

311. **Spaulding, F. E.,** and **Bryce, C. T.** Learning to read; a manual for teachers. 219 p. D. Newson & Co., 60c.

Chapter 1 explains the method, which lays special stress on phonetics; chapter 2 describes books, charts, and other materials, chief among which are phonic and rhyme charts; chapters 3 and 4 describe in detail the application of the method.

312. **Tanner, G: W.** Report of the committee appointed by the English conference to inquire into the teaching of English in the high schools of the middle west. (School rev. Jan., 15: 32–45.)

Scope of inquiry included the attitude of the high school teacher toward the college-entrance requirements, and outside or home reading of pupils. Tabulates answers to a questionnaire sent 67 schools on the conference list. Summing up the objections and commendations it is shown that a broadening of the college-entrance requirements is what is needed to meet the various conditions in different schools and the different personalities of the teachers.

313. **Trueblood, T: C.** Forensic training in college. (Educ. Mar., 27: 381–92.)

Author is professor of elocution and oratory in University of Michigan. Describes college courses in elocution, oratory, and debating. Shows the opportunities offered for public work and the benefits derived by students. Lays special stress upon the value of intercollegiate debates, and mentions several of the leagues and systems in vogue.

375.84. MODERN LANGUAGES IN THE CURRICULUM.

314. **Benson, A. C.** The place of modern languages in the secondary curriculum. (Jour. of educ. (Lond.) Feb., n. s. 28: 117–21.)

President's address at annual conference of the Modern Language Association at Durham, January 4, 1907.

Urges reform in linguistic training, and condemns the old theory of the value of classical education as no longer practical. Claims that for the average boy a single modern language, preferably French, should be made the basis of linguistic instruction.

315. **Brereton, Cloudesley.** Idola pulpitorum: the pitfalls of the practical teacher—French. (Jour. of educ. (Lond.) Feb.–Mar., n. s. 28: 109–11 and 179–81.)

Accent, grammar, translation, composition, choice of books, etc.

316. ———. The teaching of modern languages in England. (N. E. A. 50th anniv. vol. p. 366–377.)

French should be the first modern language studied, and it may profitably be begun at nine or earlier.

317. **Grandgent, C. H.** Is modern language teaching a failure? (School rev. Sept., 15: 513–34.)

Address before joint session of the classical and modern language conferences at Ann Arbor, March, 1907. States that the present instruction is still vastly inferior to that of the classics, and as the modern tongues to a considerable extent have replaced Greek and Latin in the secondary school curriculum and in the ordinary college training, no instruction in them can be regarded as satisfactory which does not produce results comparable to those derived from the study of the old humanities. Seeks to discover the obstacles that have up to this time prevented success.

318. **Lawton, W: C.** A Hellenist's view of Italian. (Educ. rev. June, 34: 37–46.)

Italian is more suitable, more practical, and more illuminating than French as the first stage toward the serious scholastic mastery of romance languages and literature. It should be widely if not generally taught in secondary schools, and be pushed vigorously to the front in every college.

319. **Why should the teacher of German have a knowledge of phonetics?** Symposium by A. C. von Noé, Edith Clawson, Paul O. Kern. (School rev. Jan., 15: 46–60.)

375.88. THE CLASSICS IN THE CURRICULUM.

For further material as to the place and value of Latin and Greek in the school programme, consult the files of The Classical Journal.

320. **Adams, C. F.** A college fetich. (In his Three phi beta kappa addresses.) (Houghton, $1. p. 5–48.)

Although delivered and printed twenty-five years ago, this address, denouncing the way in which college Greek is taught and questioning the use of compulsory teaching of it at all, is still pertinent and worth notice here.

321. **Kelsey, F. W.** The position of Latin and Greek in American universities. (Educ. rev. Jan.–Feb., 33: 59–76, 162–76.)

Continuing article in same review for December, 1906; these installments discuss the value of the classics as educational instruments and the inadequate amount of time accorded them in the curricula of our secondary and higher schools. Professor Kelsey's papers are, of course, special pleading, and are in turn discussed by Irving King in same review for May, 1907, who shows that some of the common arguments used in support of classical studies are open to serious question, but believes they will continue to have a very definite

and permanent place in modern civilization, and in the final readjustment will occupy no less dignified position than they do to-day, for they will have definitely allied themselves with modern life and modern needs.

322. **Page, T. E.** Classical studies. (Educ. rev. Sept., 34 : 144–50.)

Considers the change in the position of classical studies in the English public schools during the last fifty years. Shows that the danger of sacrificing and difficulty of retaining are equally clear, and that means for avoiding both is the chief problem of the public school of to-day. Reprinted from the London Times.

323. **Paulsen, Friedrich.** Humanistic vs. realistic education. (Educ. rev. Jan., 33 : 36–45.)

Translation of a chapter in Lexis : Die Reform des höhern Schulwesens in Preussen. Contrasts the value of classical and that of scientific education, with special reference to the schools of Germany.

324. **Rouse, W. H. D.,** *ed.* (The) year's work in classical studies, 1906. 140 p. O. Murray, 2s. 6d.

The first number of a new annual under the auspices of the Classical Association, designed to inform teachers of classical subjects of important progress throughout the world.

325. **Symposium on the value of humanistic, particularly classical, studies as a preparation for the study of law,** from the point of view of the profession. (School rev. June, 15 : 409–35.)

375.9. HISTORY IN THE CURRICULUM.

326. **Cauchie, Alfred.** The teaching of history at Louvain. (Catholic univ. bulletin, Oct., 13 : 515–61.)

Descriptive sketch of the practical and theoretical courses in the historical department of Louvain University.

327. **Larned, J. N.** The peace-teaching of history. (Jour. of social science, no. 45 : 175–88.)

The staple of history has always been war. That should be less emphasized and different social lessons drawn from it.

375.91. GEOGRAPHY IN THE CURRICULUM.

The Journal of Geography, New York, and the Geographical Teacher, London, are especially devoted to the interests of teachers of geography.

328. **Gibbs, David.** The pedagogy of geography. (Ped. sem. Mar., 14 : 39–100.)

Includes an historical review of text-books and methods of teaching the subject in elementary and higher schools in Europe and the United States. Outlines an elementary course.

376. EDUCATION OF WOMEN.

See also Nos. 27, 295.

329. **Beale, Dorothea.** Secondary education of girls in England during the past fifty years. (N. E. A. 50th anniv. vol. p. 377–86.)

330. **Burstall, S. A.** English high schools for girls : their aims, organization and management. 243 p. D. Longmans, $1.25.

Author is head mistress of the Manchester high school for girls. The book sketches the characteristic aims, organization, and methods of the English high school for girls as it exists to-day.

331. **Creighton, Louise.** Some modern ideas about women's education. (Nineteenth cent. Oct., 62: 578–86.)

Discusses the proper scope for the teaching of domestic economy in the schools of England. Believes "there is ground for fear that the higher side of women's education will not be sufficiently taken into account by the education authorities and that utilitarian considerations will be allowed too much scope." Also in Littell's Living Age, 255: 408–16.

332. **Girls' school year book;** public schools, 1907. 515 p. D. Sonnenschein, 2s. 6d.

Second year. A concise, comprehensive record of all matters of interest to parents, school mistresses, and girls in connection with English secondary education.

333. **Howe, E. M.** The southern girl: a neglected asset. (Educ. rev. Mar., 33: 288–97.)

States that the supreme need of the South is the better education of the southern girl, and suggests its accomplishment by: (1) Good secondary schools, adequately endowed; (2) establishment of scholarships in northern colleges for southern girls; (3) generous increase in the endowment of their best home colleges.

334. **Marshall, F. M.** Industrial training for women. 59 p. O. (Nat. soc. for the promotion of industrial education. Bulletin 4.)

Discusses the changed position of women in industry, their opportunities for effective work, and some practical schemes for their training in particular trades. See also Nos. 256, 260, 295, above.

335. **Paine, H. E.** The life of Eliza Baylies Wheaton: a chapter in the history of the higher education of women, prepared for the alumnæ of Wheaton Seminary. 286 p. O. $1.25.

336. **Paulsen, Friedrich.** The modern system of higher education for women in Prussia. (N. E. A. 50th anniv. vol. p. 395–408.)

337. **Sée, Camille.** The secondary education of girls in France. (N. E. A. 50th anniv. vol. p. 386–95.)

338. **Shields, T. E.** The education of our girls. 299 p. D. Benziger, $1.

The pronoun in the title means Roman Catholic. Under a slender thread of story and dialogue the author brings forward typical views on both sides of the question of coeducation. The conclusion reached is plainly in favor of the higher education of women, but not under coeducational conditions.

376.7. COEDUCATION.

339. **Sachs, Julius.** Co-education in the United States. (Educ. rev. Mar., 33: 298–305.)

Claims that its disadvantages outweigh its advantages. While thoroughly in place in elementary schools, it is of doubtful value in secondary schools and colleges. Predicts a change in the general attitude toward the question. Translated by the author from the German in Die Wissenschaften, June, 1906.

340. **Van Hise, C: R.** Educational tendencies in state universities. (Educ. rev. 34: 504–20.)

This paper is devoted especially to the problem of coeducation, showing that the natural segregation of the sexes is an educational tendency which must be provided for, otherwise coeducation will be weakened.

377. RELIGIOUS AND MORAL EDUCATION.

341. **Archibald, E. J.** (The) primary department. 91 p. D. Sunday school times, 50c.

342. **Cabot, E. L.** An experiment in the teaching of ethics. (Educ. rev. Dec., 34 : 433–47.)

Author is a teacher of twelve years' experience in a girls' school, who believes the study of ethics can be made as outgoing, enlarging, and free from false self-reference as the study of history or literature.

343. **Coe, G. A.** The reason and the functions of general religious education. (Congress of arts and sciences. Houghton. v. 8, p. 271–81.)

344. **Cope, H. F.** The modern Sunday school in principle and practice. 206 p. D. Revell, $1.

Historical and administrative rather than pedagogical. Twenty short chapters on different phases of Sunday-school work. Brief, but full of suggestions. The author is general secretary of the Religious Education Association.

345. **Du Bois, Patterson.** The culture of justice; a mode of moral education and of social reform. 282 p. S. Dodd, Mead, 75c.

An argument that neither love nor justice alone, but love and justice are the fundamental moral and social principles. The book elaborates this theory in its first half; in the concluding chapters it treats of specific applications to the training of children, and considers obedience, punishment, and money as means of moral training. Parents and teachers will find here a restatement of some old ideals.

346. **Ellis, Havelock.** Religion and the child. (Nineteenth cent. May, 61 : 764–75.)

Characteristics of the child mind have not been taken into account in dealing with the religious instruction problem. "In the wrangle over teaching of religion in schools we have failed to realize that fundamental notions of morality are a far more essential part of school training."

347. **Hart, M. A.** The normal training of the child. 55 p. S. Christian pub. co., 25c.

Earnest paragraphs on preparation for, method and content of, religious instruction.

348. **Hervey, W. L.** How may the teaching of religion be made potent for morality. (Congress of arts and sciences. Houghton. v. 8, p. 282–93.)

349. **Lodge, Oliver.** Religious education of children. (No. Amer. rev. Aug., 185 : 699–710.)

Discusses proper scope of, and materials for, imparting religious instruction to the young. Also in Contemp. Review, Aug., 92 : 153–64.

350. **Moral training in the public schools;** the California prize essays. 203 p. D. Ginn, $1.50.

Essays by C. E. Rugh, T. P. Stevenson, E. D. Starbuck, Frank Cramer, G. E. Myers. The traditional American policy of a secular school system and present American conditions are assumed by each writer as a basis. Mr. Stevenson's essay describes several of the strongest plans which have been urged for grafting formal religious or moral instruction on our public school system.

351. **Religious education association.** The materials of religious education; being the principal papers presented at, and the proceedings of the fourth general convention, Rochester, N. Y., Feb. 5–7, 1907. 379 p. O. Rel. educ. assoc., 153 La Salle st., Chicago, $2.

Over 40 brief papers, most of them by writers whose names challenge attention. The most important are on the large social phases of moral and religious ideals and the efforts to attain them through formal education.

352. **Rogers, C. F.** The education question: foreign parallels. (Church quar. rev. Oct., 65:1–17.)

How the religious question is handled in other European countries.

353. **Sisson, E. O.** The spirit and value of Prussian religious instruction. (Amer. jour. of theol. Apr., 11:250–68.)

Religious instruction is regarded in Prussia as an indispensable element in any complete school course, but in its present form it stands in need of radical and extensive reform.

354. **Stebbins, F. V.** (The) home department of to-day. 128 p. D. Sunday school times, 25c.

Full of practical suggestions for the conduct of this rather new phase of Sunday-school work.

355. **Wenner, G. U.** Religious education and the public school; an American problem. 163 p. D. Bonnell, Silver, 75c.

Urging the public school authorities of the country to unite in giving up Wednesday afternoon to permit children to attend formal religious instruction in their own churches. This plan is discussed by S. P. Delany in Education for May, 1907, 28:97–112.

356. **Wilde, Norman.** The psychology of religion and education. (Educ. rev. Sept., 34:180–95.)

The problem of religious education is not how to add religion to a nature devoid of it, but how to develop religion in a life already disposed to it. Formal instruction in religion in advance of the child's need and interests is useless.

378. HIGHER EDUCATION: COLLEGES AND UNIVERSITIES.

357. **Eliot, C. W.** Academic freedom. An address delivered before the Phi beta kappa society at Cornell university, May 29, 1907. 24 p. O. Andrus & Church, Ithaca, N. Y.

Also in Science, 5 July, 1907, n. s. 26:1–12, and in Journal of Pedagogy, Sept.–Dec. 1907, 20:9–28.

358. **Jordan, D. S.** College and the man. 78 p. D. Amer. Unitarian Ass'n, 80c.

Paragraphs addressed to high school students or those in college, presenting the advantages of a college education.

359. **Person, H. S.** The college graduate in trade and industry. (Educ. June, 27:589–600.)

Shows that the changes in the business world have created a demand for new qualifications in young men entering it. While acknowledging that the success of a college man relative to a noncollege man will depend upon the nature of the business undertaken, the conclusion is that of young men endowed with a natural capacity for business, the college trained advance more rapidly to positions of responsibility than those who enter business from the high school. Cites as proof, the development of schools for higher commercial education.

360. **Sadler, S. H.** The higher education of the young; its social, domestic and religious aspects. Ed. 2. 276 p. D. Dutton, 3s. 6d.

361. **Vanderlip, F. A.** Co-ordination of higher education. (In his Business and education. Duffield, $1.50. p. 1–19.)

Founder's day address, Girard College, May 20, 1905. Argues that the men who make great educational gifts might with much profit be more consulted as to using the money, because the qualities which enable a man to get a million dollars and which move him to give it make him a good adviser.

Canada.

362. **Lord, W. F.** Degree-granting institutions in Canada. (Nineteenth cent. Aug., 62 : 262–71.)

Laval, McGill, Queens, University of Toronto.

France.

363. **Calvet, J.** Catholic university education in France. (Catholic univ. bulletin, Apr., 13 : 191–210.)

Describes the distinctive features of the free Catholic universities at Paris, Lille, Angers, Lyon, and Toulouse, with a résumé of the results accomplished during the thirty years of their existence.

364. **Du Pouey, Robert.** Americans in French universities. (University of California chronicle, Oct., 9 : 335–53.)

Gives the American contemplating study at French universities the practical information which will save him time and money.

365. **Wendell, Barrett.** Impressions of contemporary France. Universities. (Scrib. mag. Mar., 41 : 314–26.)

Great Britain.

366. **Headlam, A. C.** Universities and the empire. A paper read at the Imperial conference on education, May, 1907. 24 p. D. Spottiswoode, 6d.

The part they may play and how it may be done.

367. **Irish university question.** (Quarterly rev. Apr., 206 : 536–46.)

Comments on the Report of the Royal Commission on Trinity College, Dublin, and the University of Dublin, 1906.

368. **Jackson, W: W.** Some problems of university reform. (Fortn. rev. Oct., 88 : 562–74.)

A partial review of some recent expressions of opinion which appeared as a series of letters in the London Times under the title "Oxford and the nation," and comments upon the speech of the Bishop of Birmingham, addressed to the House of Lords, in favor of the appointment of a commission to deal with the universities. A. E. Zimmern replies on several points in same review for November, 1907, 88 : 744–53.

369. *Aberdeen.* **Aberdeen university.** Record of the celebration of the quarter-centenary, Sept. 25–28, 1906. 656 p. Q. The Univ. of Aberdeen press. (Aberdeen univ. studies, no. 29.)

370. *Cambridge.* **Fay, C. R.** King's College, Cambridge. 128 p. D. Dutton, 75c. (College monographs, 3.)

Much more space is given to the architecture and grounds than in other volumes of this series.

371. ——— **Scott, R. F.** St. John's College, Cambridge. 111 p. D. Dutton, 75c. (College monographs, 2.)

Two chapters of "guide-book" matter are followed by a brief history of the college, with a final chapter on its social life.

372. *Durham.* **The future of the university of Durham.** (Church quar. rev. July, 64 : 257–76.)

373. *London.* **Record of the visit of the University of Paris to the University of London,** Whitsuntide, 1906. Murray, 5s.

374. *Oxford.* **Lawson, W. R.** Oxford finance. (Contemp. rev. Nov., 92 : 622–36.)

An argument against the proposed increased endowment for Oxford University. Charges laxity in the present financial management and includes tables which show that an education at Oxford is more expensive than at German or Scottish universities.

375. ——— **Marriott, J: A.** Oxford and the nation. (Nineteenth cent. Oct., 62 : 674–88.)

Indicates some of the leading reforms which have been the outgrowth of the commission of 1850, and discusses specific suggestions for further reform which would render Oxford more serviceable.

376. ——— **Oxford and the nation,** by some Oxford tutors. London Times, 1s.

A reprint of some notable "Times" letters as to the present and future of Oxford University.

377. ——— **Prickard, A. O.** New College, Oxford. 99 p. D. Dutton, 75c. (College monographs, 5.)

378. ——— **Scholz, R. F.,** and **Hornbeck, S. K.** Oxford and the Rhodes scholarships. 172 p. D. Oxford univ. press, 85c.

Contains the Rhodes will, methods through which it has been carried out, such information about Oxford as a Rhodes scholar is presumed to want, list of Rhodes scholars, copies of examination papers, and much other similar matter. More particular information, of interest especially to candidates from the United States, is found in the Report of the U. S. Commissioner of Education for 1905, volume 1, p. 41–55.

379. ——— **Warren, T. H.** Magdalen College, Oxford. 135 p. D. Dutton, 75c. (College monographs, 4.)

A brief popularization of the work of Bloxam, Macray, and H. A. Wilson. Unlike the other volumes in this series, this one is wholly historical and not of the "handbook" character.

380. ——— **White, H. J.** Merton College, Oxford. 104 p. D. Dutton, 75c. (College monographs, 6.)

A short popular handbook of the college, with a brief prefatory, historical chapter. 14 illustrations.

United States.

Full statistical data for American colleges and universities are in the Report of the U. S. Commissioner of Education for 1906, 1 : 445–592.

381. **Adams, C. F.** Three phi beta kappa addresses: A college fetich, 1883; "Shall Cromwell have a statue?" 1902; Some modern college tendencies, 1906. 200 p. O. Houghton, $1.

This collection of pieces contains, besides the three addresses noted on the title-page, "The journeyman's retrospect," "The Harvard tuition fee," and "The fiftieth year 1856–1906."

382. **Adams, G: B.** The college in the University. (Educ. rev. Feb., 33 : 121–44.)

Historical sketch of the development of the curriculum for higher education in America.

383. **Bascom, John.** American higher education. (Educ. rev. Sept., 34 : 130–43.)

Contrasts college curriculum and life of the present with conditions sixty years ago. States that higher education has caught an artificial haste from the commercial world and its gains have been sporadic. More blame than praise is given to the elective system, fraternity life, and athletics.

384. **Birdseye, C. F.** Individual training in our colleges. 434 p. O. Macmillan, $1.75.

A portrayal of present American college conditions, which indicates the almost complete disappearance of rugged individual training, development of character, and wholesome, effective intellectual cultivation. The book shows how these conditions have arisen from or have accompanied the brick, mortar, and endowment stage of our university growth, with its enormous numerical increase of students. The author makes some very definite suggestions for betterment, chief of which is the enthusiastic development of the possibilities before the Greek letter fraternities, through their alumni, in supplying the individual training available through no other college institution.

385. **Canfield, J. H.** On "The decay of academic courage." (Educ. rev. Jan., 33 : 1–10.)

A protest against the too prevalent criticism of the leaders of educational supervision and administration, illustrated by discussion of present powers and duties of the American college president.

386. **Carpenter, W: H.** A plea for a rational terminology. (Educ. rev. Oct., 34 : 259–71.)

Recommends a stricter distinction between the names "college" and "university."

387. **Draper, A. S.** American type of university. (Science, July 12, n. s. 26 : 33–43.)

Address delivered at the commencement of Syracuse University, June, 1907. Discusses the distinguishing features of the new type of American university which has developed during the last fifty years.

388. **Foster, W: T.** The gentleman's grade. (Educ. rev. Apr., 33 : 386–92.)

Deals with the standard of daily college work. Believes that the fairest and most potent way in which to stimulate students is to count quality as well as quantity toward the A. B. degree.

389. **Lowell, A. L.** American universities. (Science, 28 June, n. s. 25 : 985–96.)

Annual Harvard address at Yale, April, 1907. Discusses the distribution of students and gives statistics to show that endowed universities are doing a more fully national work than those supported by the State. Suggests plans for effective grouping of students.

390. **The responsibility of the college for the moral conduct of the student.** (In Association of colleges and preparatory schools of the middle states and Maryland. Proc. of twentieth annual convention, 1906. p. 93–125.)

Papers by J. H. Harris, J. M. Taylor, J. H. Denbigh.

391. **Salmon, L. M.** The encroachments of the secondary schools on the college curriculum. (In Association of colleges and preparatory schools of the middle states and Maryland. Proc. of twentieth annual convention, 1906. p. 56–63.)

392. **Snow, L. F.** The college curriculum in the United States. 186 p. O. Columbia Univ. $1.50. (Teachers coll. cont. to educ. no. 10.)

An historical study of the growth and development of the college curriculum from 1638 to the present time, based principally on what are termed the five formal documents, namely: President Dunster's Laws, 1642; Provost Smith's Programme, 1756; Report of the Yale faculty, 1828; Report of Committee of Ten, 1892; Incorporation of Carnegie Institution, 1902.

393. **Tombo, Rudolf.** Geographical distribution of the student body at a number of universities and colleges. (Science, 26 July, n. s. 26 : 97–104.)

Seventeen institutions are now represented in these interesting annual tables.

394. **Tombo, Rudolf.** University registration statistics. (Science, 29 Nov., n. s. 26 : 729–44.)

395. **Wenley, R. M.** Transition or what? (Educ. rev. May, 33 : 433–51.) Can we stem the tide? (Educ. rev. Oct., 34 : 241–58.)

The first paper makes observations on the text, "Whither are our dropsical and anemic universities tending?" The second maintains that unwise pressure of public opinion from without, on our universities, is more to be feared than the fancied internal jarring of the machinery which so often is made the subject of "reforms."

396. **West, A. F.** American liberal education. 135 p. D. Scribner, 75c.

Six papers and addresses on topics pertaining to our higher education. All have appeared in print between 1900 and 1906 and have been noted in previous annual issues of this bibliography in the Educational Review.

397. *Cincinnati university.* **Prentis, H. W. Jr.** Cincinnati university. (Ohio magazine, Jan., 2 : 43–53.)

A popular account, with numerous pictures of buildings.

398. *College of the city of N. Y.* **Mosenthal, P. J.,** and **Horne, C. F.,** *editors.* The City college; memories of sixty years edited for the associate alumni of the College of the City of New York. 565 p. Q. Putnam, $5.

A sumptuous memorial volume, made up of brief chapters on various phases of college history and life by former students, many of them now men of distinction.

399. *Denison university.* **Memorial volume of Denison university, 1831–1906.** Part I. The development of the college. Part II. Seventh general catalogue. 286 p. O. Pub. by the University, $1.

400. *Illinois state normal university.* **Semi-centennial history, 1857–1907;** prepared under the direction of a committee of the faculty. 384 p. O. The Univ. Normal, Ill., $1.22.

401. *Leland Stanford university.* **Alden, R. M.** College authority. (Nation, 4 July, 85 : 12–13.)

An account of the new (since 1904) form of internal university government at Leland Stanford Jr. University.

402. *Maryland university.* **Cordell, E. F.** University of Maryland, 1807–1907, its history, influence, equipment and characteristics, with biographical sketches and portraits of its founders, benefactors, regents, faculty and alumni. 2 v. Q. Lewis pub. co.

403. *North Carolina university.* **Battle, K. P.** History of the University of North Carolina from . . . 1789 to 1868. 880 p. O. Edwards & Broughton co., Raleigh, $3.

A second volume is promised, bringing the history to date.

404. *Otterbein.* **Garst, Henry.** Otterbein university, 1847–1907. 316 p. D. United Brethren pub. house, Dayton, O., 75c.

405. *Union university.* **Raymond, A. V. V.** Union university; its history, influence, characteristics and equipment, with the lives and works of its founders, benefactors, officers, regents, faculty and the achievements of its alumni. 3 v. O. Lewis pub. co. N. Y., $30.

Volume 1 contains the history, not only of Union College proper, but of Albany Medical College, Albany Law School, Dudley Observatory, and Albany College of Pharmacy, now all parts of Union University. The last two volumes are biographical. See also No. 34 above.

406. *Wesleyan university.* **Celebration of the seventy-fifth anniversary of the founding of Wesleyan university 1831–1906.** 216 p. O. Wesleyan univ., $1.

Contains the addresses, programme of the exercises, many portraits of faculty and buildings, and much incidental historical material.

407. *Yale university.* **Dexter, F. B.** Biographical sketches of the graduates of Yale college with annals of the college history; vol. 4, 1778–1792. 752 p. Q. Holt, $5.

It is twenty-two years since volume 1 appeared, and the author in his preface to the present volume speaks doubtfully of its continuation.

378.01. COLLEGE ENTRANCE REQUIREMENTS.

408. **Bruce, M. S.** College entrance requirements in French. (Educ. rev. Apr., 33: 406–13.)

Finds little to criticise with respect to the written examinations now set by the majority of the colleges, but suggests that additional oral requirements be made.

409. **College entrance examination board.** Seventh annual report of the secretary. (Educ. rev. Oct., 34: 272–316.)

410. **Davis, N. F.** Is the present method of granting certificate-rights to preparatory schools satisfactory? (School rev. Feb., 15: 145–52.)

Author is secretary of New England college entrance certificate board. He describes its methods and answers some of the chief complaints.

411. **Greenough, C. N., and others.** A report on the examinations in English for admission to Harvard college. June 1906. 41 p. O. Harvard univ. 15c.

"Several years' experience in reading English entrance examination books has impressed upon us the regularity with which candidates repeat certain elementary errors. To put into the hands of teachers a large number of these errors and to make some suggestions for preventing them are the objects of this report." *Preface.*

A review in the Educational Review, June, 1907, says that the Harvard examiners place far too much stress on the technicalities of punctuation, spelling, and capitalization, and are in other ways so narrow and dogmatic in methods of marking as to overlook true proportion and values. The reviewer cites Barrett Wendell in support of his argument.

412. **National society for the scientific study of education.** Vocational studies for college entrance. 79 p. O. (Yearbook 6, pt. 1.)

Papers on the history, policy, and possibility of the suggestion, by C. A. Herrick, H. W. Holmes, T. de Laguna, V. Prettyman, and W. J. S. Bryan.

413. **Rollins, Frank.** Syllabuses and examinations in physics. (Educ. rev. Nov., 34: 347–64.)

Paper read before the Schoolmasters' Association of New York and Vicinity, 1906. Author is principal of the Stuyvesant High School, New York City. Compares the syllabuses of the college entrance examination board, New York State education department, and the N. E. A., and prints entrance examination papers from Yale, Harvard, Princeton, Columbia, and the college entrance board.

414. **Tanner, G: W.** Report of the committee appointed by the English conference to inquire into the teaching of English in the high schools of the middle west. (School rev. Jan., 15: 32–45.)

415. **Wight, J: G.** Should college entrance requirements be reduced in quantity? (In Association of colleges and preparatory schools of the middle states and Maryland. Proc. of twentieth annual convention, 1906. p. 45–56.)

Argues for the affirmative.

416. **Young, W. H.** The high schools of New England as judged by the standard of the college certificate board. (School rev. Feb., 15: 134–44.)

378.2. ACADEMIC DEGREES.

417. **Carpenter, W: H.** The utility of the Ph. D. degree. (Educ. rev. June, 34: 1–12.)

Considers many of the recent criticisms as unjust, and presents in a clear fashion the status of the Ph. D. degree in America, showing that it is the man who bears the degree and not the degree he bears that is the end of education.

418. **Doctorates conferred by American universities.** (Science, 30 Aug., n. s. 26: 276–82.)

Analysis of the statistics of the doctorate degree conferred by nineteen American universities during the past ten years.

419. **Fletcher, J. B.** Teachers of literature and the Ph. D. (Educ. rev. Sept., 34: 175–79.)

Believes that the highest academic degree in course should not be administered as a "teacher's degree," but as a "scholar's degree." Suggests that the M. A. be extended to meet the teacher's need, and that it be made the "teacher's degree."

378.3. GRADUATE WORK: RESEARCH.

420. **Comstock, G: C.** The appointment and obligations of university fellows. (In Association of American universities. Journal of proceedings and addresses of eighth annual conference, 1907. p. 39–44.)

421. **Hall, G. S.** The appointment and obligations of graduate fellows. (In Association of American universities. Journal of proceedings and addresses of the eighth annual conference, 1907. p. 16–38.)

Chiefly devoted to statistics of number, subjects, income, and conditions as to tenure and work.

379. PUBLIC SECONDARY EDUCATION: THE STATE AND EDUCATION.

422. **Judson, H. P.** Education by the state and for the state. (In Conference for education in the south. Proceedings of tenth conference, 1907. p. 46–56.)

Discussion by F. W. Hinitt, pp. 57–62.

379.11. SCHOOL FINANCE: TAXATION.

423. **Eliot, C: W:** The exemption of educational institutions from taxation. (In Association of American universities. Journal of proceedings and addresses of eighth annual conference, 1907. p. 48–49, and Appendix, p. 107–11.)

Anent the recent attempt in Massachusetts to tax property of Harvard University.

424. **Page, T. W.** The exemption of educational institutions from taxation. (In Association of American universities. Journal of proceedings and addresses of eighth annual conference, 1907. p. 49–56.)

425. **Public-school finance: what next?** (In N. E. A. Proc. p. 343–60.)

Includes papers by J. D. Burks and ex-Governor G. C. Pardee, which discuss the need and value of some general and definite administrative standards in the present methods of the distribution of State funds.

379.14. SCHOOL LAWS.

426. **Legislation relating to education enacted by the fifty-ninth congress, 1905--7.** (U. S.—Education, Comm'r of. Report for 1906. 2 : 1229–55.)

Summaries, not text, in most cases.

427. **The new Prussian school law of 1906.** (U. S.—Education, Comm'r of. Report for 1906. 1 : 35–72.)

428. **Rogers, H. J.** Educational legislation in 1905. (Educ. rev. Jan., 33 : 46–58.)

A similar review for 1906 appears in Bulletin 113 of the New York State Library, pp. 233–242.

379.15. SCHOOL SUPERVISION.

429. **Elliott, E: C.** A type of positive educational reform. (Educ. rev. Apr., 33 : 344–55.)

Describes the workings of the county school board conventions with special reference to Wisconsin, and shows them to be valuable factors in public rural education.

430. **Hartmann, C. G.** A study in school supervision with special reference to rural school conditions in Texas. 180 p. O. (Bulletin of the Univ. of Texas. No. 90.)

Author is superintendent of public instruction in Travis County, Tex., and the monograph was prepared while a graduate student at the university. It is a study of the origin, manner, and effectiveness of county supervision of schools, not only in Texas but throughout the country. The writer is a strong believer in the system.

379.23. COMPULSORY EDUCATION.

431. **Chrisman, Oscar.** Paying children to attend school. (Arena, Feb., 37 : 166–71.)

A new form of compulsory education in opposition to child labor.

432. **Compulsory school attendance and its relation to the general welfare of the child.** (U. S.—Education, Comm'r of. Report for 1906. 2 : 1263–90.)

Discusses the relations of child labor, juvenile delinquency, school hygiene, and truancy to compulsory attendance.

433. **Sullivan, J. D.** A summary of the compulsory attendance and child labor laws of the states and territories of the United States. 112 p. O. (N. Y. state library bulletin 114.)

379.5. SECONDARY EDUCATION IN DIFFERENT COUNTRIES.

France.

434. **Compayré, Gabriel.** Public instruction in France in 1906. (Elem. school teacher, Mar., 7 : 369–78.)

Indicates the essential features of the changes which the impulse of republican government has wrought in French education within the past quarter of a century.

Germany.

435. **The new Prussian school law of 1906.** (U. S.—Education, Comm'r of. Report for 1906. 1: 35–72.)

Gives the text of the law, extracts from discussion in Parliament, and domestic and foreign press notices.

436. **Ruediger, W: C.** The schools of Hamburg, Germany. (Educ. Dec., 28: 224–32.)

Account of a personal visit to a Realschule, a Volksschule, and a Lehrer Seminar, with comments upon the discipline and methods of instruction and a brief statement of teachers' salaries in Germany.

Great Britain.

437. **Findlay, J. J.** Churches and the schools. (Educ. rev. Feb., 33: 186–92.)

Discusses the feeling of teachers toward tests for religious beliefs or "fitness to teach" as bearing on the educational struggle in England. Reprinted from the Westminster Gazette, London.

438. **Foster, Michael.** Education, elementary and secondary. (Nineteenth cent. Mar., 61: 490–500.)

Review of a report of the consultative committee of the English board of education on questions affecting higher elementary schools.

439. **Great Britain—Education, Board of.** Judgments of the Divisional court, Court of appeal, and House of lords in the case of the king v. the County council of the West Riding of Yorkshire. 42 p. O. ([Parliament. Papers by command] Cd. 3391.)

A suit to determine whether the county council should pay for denominational religious instruction in voluntary elementary schools. The highest court gives judgment in the affirmative.

440. **Kandall, I. L.** The Irish intermediate system. (Jour. of educ. (Lond.) June, n. s. 28: 397–99.)

Shows that the great need of Irish secondary education is relief from the incubus of an examination system.

441. **Lawson, W. R.** John Bull and his schools; a book for parents, rate-payers and men of business. 304 p. D. Blackwood, 5s.

442. **National union of teachers.** Handbook of education, prepared by J. H. Yoxall and Ernest Gray. 591 p. D. N. U. T., Bolton House, 67 & 71, Russell Square, London, W. C. 3s. 6d.

Contains particulars respecting the organization and administration of elementary and secondary education in England and Wales. With the "Companion to the N. U. T. Code" and the N. U. T. edition of the code of parliamentary statutes and regulations this present volume forms a complete survey of English popular educational machinery.

443. **Sadler, M. E.** The educational awakening in England. (N. E. A. 50th anniv. vol. p. 361–366.)

444. ——— French influences in English education. (Educ. rev. Feb., 33: 145–61.)

Address delivered at London University, June, 1906. Shows that France gave England much of the form of its ancient university institutions and inspired Englishmen with the love of scholastic philosophy. Reprinted from Modern Language Teaching, October, 1906.

445. **Sadler, M. E.** Influence of the state in English education. (Church quar. rev. Oct., 65 : 166–92.)

"The contention of this article is that under the conditions which prevail in England the part of the state is to inspect, recognize, encourage, and (when needful) aid every kind of efficient and needed school."

446. ——— President's address, delivered before the Educational science section of the British association for the advancement of science. (In British association for the advancement of science. Report, 1906. p. 764–76.)

A review of the general course of events in contemporary English education.

447. **Schoolmasters' yearbook and directory 1907.** 1046 p. D. Sonnenschein, 5s.

Fifth issue of a most useful current reference book on secondary education in England and Wales. The general scope and character are unchanged, part 2 (about half the book) being a directory of masters and schools.

India.

448. **Education.** (Imperial gazetteer of India. Clarendon press, $2. 4 : 407–56.)

A survey of conditions and facilities for public education as they were in 1901–2, with a full account of how the Indian state schools are administered.

United States.

This section is meant to include only current discussion relating to present conditions. All history is found in section 370.9, subhead United States. Matter on education in the separate States is arranged at the end of this section alphabetically under the names of the States. A current chronicle of educational events in the United States is found in each number of the Forum.

449. **Maxwell, W. H.** Present needs of the public schools. (Nation, 25 April, 84 : 379–81.)

"In the present article I shall speak chiefly of the New York City schools with which I am most familiar, but many of my arguments apply to the school systems of all our larger cities." Topics discussed are : Smaller classes in elementary schools ; changes in compulsory-education law ; high-school administration ; more workshops, kitchens, and kindergartens ; schools for defectives ; physical examinations ; more money.

450. **Salmon, L. M.** The encroachments of the secondary schools on the college carriculum. (In Association of colleges and preparatory schools of the middle states and Maryland. Proc. of twentieth annual, 1906. p. 56–63.)

451. **Thorndike, E: L.** A neglected aspect of the American high school. (Educ. rev. Mar., 33 : 245–55.)

States that the variability in the size of the teaching staff and size of the student body are not taken into account in the discussion of secondary school problems. Accompanied by tables of comparative statistics arranged by States.

452. **Why is public education in the United States not as successful as it is in Germany?** (Educ. rev. Mar., 33 : 217–44.)

Translated from the German by Prof. Rudolf Tombo, jr., of Columbia University. States that American schools are not able to produce the excellent results secured by German schools, and discusses the following causes as responsible for this condition :

(1) Causes beyond the teacher's control, under which he includes : Composition of our mixed population, inclination of our people to change their abode, local self-government, which excludes national concentration in school organization ; failure to enforce compulsory attendance laws ; discrepancy between enrollment and actual attendance ; lack of provision for defectives or backward

children; short school year; difficulties of English language; failure to teach metric system, and introduction of many specialties into course of study.

(2) Evils which are remedial in part, under which are mentioned: Waste of time in instruction, poor methods of teaching, foolish and sentimental discipline, insufficient training possessed by American teachers, low salaries, and bad methods of promotion, and the elective system in secondary schools.

California.

453. **Hershey, A. S.** Japanese school question and the treaty-making power. (Amer. pol. sci. rev. May, 1: 393–407.)

Did San Francisco's action infringe Japanese treaty rights? Has the Federal Government the right to interfere with the direction of the public school system of a State or city? Both questions are argued in the negative.

District of Columbia.

454. **Education in the district of Columbia.** (Educ. rev. Feb., 33: 109–20.)

The writer holds that evils and difficulties in effective school administration are inherent in the form of government of the District. The schools are torn between the dual and conflicting powers of Congress and the District board of education.

Illinois.

455. **Webster, W. G.,** *ed.* The Evanston village high school. 128 p. O. Editor, 702 Rector bldg. Chicago, $2.

Of interest to the former students or friends of the school.

Massachusetts.

456. **Spencer, David.** School reform in Boston. (Atlantic, July, 100: 45–53.)

Describes the many reforms in administration of the Boston schools which resulted from the reduction of the membership of the school committee from 25 to 5.

New England.

457. **Young, W. H.** The high schools of New England as judged by the standard of the college certificate board. (School rev. Feb., 15: 134–44.)

Investigates existing conditions in order to determine how successfully the high schools are meeting the college requirements, and expresses the opinion that present methods in New England do not solve the problem of articulation between high school and college. Shows an appalling number of schools below the standard, and suggests that a strongly centralized system of high schools, substituted for the prevalent local autonomy, would remedy present evils. See also No. 458.

458. ——— The standardization of the New England high schools. (School rev. Apr., 15: 278–83.)

The great defect is lack of uniformity. Recommends State inspection, and shows the advantages which would result from its adoption. See also No. 457.

Texas.

459. **Hartmann, C. G.** A study in school supervision with special reference to rural school conditions in Texas. 180 p. Q. (Bulletin of the Univ. of Texas, no. 90.)

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UNITED STATES BUREAU OF EDUCATION

BULLETIN, 1908: No. 4 WHOLE NUMBER 387

MUSIC EDUCATION IN THE UNITED STATES

SCHOOLS AND DEPARTMENTS OF MUSIC

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SPARTANBURG, S. C.

WASHINGTON
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LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, June 23, 1908.

SIR: I have the honor to transmit herewith the manuscript of a report on the present status of music education in the United States, prepared by Prof. Arthur L. Manchester, of Converse College, South Carolina, and to recommend its publication in the Bulletin of the Bureau of Education.

This report has been prepared in accordance with an urgent recommendation of the Music Teachers' National Association, conveyed through the president of that organization, Prof. Waldo S. Pratt, of the Hartford Theological Seminary. Professor Manchester, who had been appointed by the executive committee of that association as chairman of the committee to consider the gathering of statistics concerning music education in the United States, kindly consented to edit this report for the Bureau of Education. The detailed information upon which it is based was collected through the statistical division of this office in cooperation with Professor Manchester.

The growing recognition of music as an essential part of our plan of public education, and a peculiarly rich and vital part of our public education, emphasizes the need of such information as is embodied in this report. The latest publication of this kind issued by the Bureau of Education was that which appeared in the year 1886. The subject is so large that unfortunately it has been found impracticable to include in the paper here submitted an account of music as taught in our public elementary schools. This part of the subject is reserved for later treatment.

Very respectfully,

ELMER ELLSWORTH BROWN,
Commissioner.

The SECRETARY OF THE INTERIOR.

FOREWORD.

In no profession or field of educational activity is there available so meager an amount of accurate data upon which to base plans for future development or to use in the determination of results achieved as in that of music. There is no coherence in the general scheme of music education, and there can be none while so little is known concerning what is done in the field of musical endeavor. To define the status of music education in the United States has been practically impossible. The utter lack of systematic courses of instruction, the widely varying standards of merit, and the absence of cooperation upon the part of those engaged in music teaching not only have made impossible any accurate computation of the results which have accrued from music education, but are serious obstacles in the way of future development.

Musicians are not yet fully agreed among themselves as to what constitutes music education. The definition still varies according to the standpoint of the definer. The composer, the performer, the theorist, the pedagogue, will each interpret it in the light of his own specialty. It is this lack of system, this indefiniteness of aim, that have repelled those who mold educational opinion, and have caused them to withhold from music that educational value which its votaries claim for it, but which has been obscured by the desultory nature of music instruction. Yet, despite this serious defect, its claims have impressed thoughtful investigators. This lack of system could not entirely hide the evidences of good work being done, and the desire for a more complete and exact knowledge of what is really being accomplished, of the real status of music education in this country, has been felt not only by members of the musical profession, but by those interested in educational movements generally.

It is known that large sums are expended annually for music instruction, that many students and teachers are engaged in it; but what its real proportions are, to what extent it is becoming systematized, what attitude independent schools of music and institutions having music departments maintain toward it, just how serious is the purpose of those who are active in the musical profession, what grade of work is demanded by institutions that announce graduate courses of study, and how these grades are determined are questions

to which satisfactory answers are not now to be given. It is to supply data for the determining of these points that the present inquiry is undertaken. It is not the intention of this inquiry to give decisions as to any point at issue; it simply proposes to lay before those interested certain accurate and authoritative information upon which they may base their own judgment.

The field to be covered is too large to be included in a single inquiry. The scope of this investigation, therefore, is confined to music education in independent schools of music and in institutions maintaining music departments. It is obvious that that largest of all fields, the work of the private teacher, could not be included in this inquiry, and it was thought best to begin the gathering of musical statistics with the work done in the institutions which really dominate educational policies, musical and otherwise.

The purpose is to secure definite information regarding:

1. The organization of and manner of conducting these schools and departments.
2. The number of instructors employed, with branches taught, and number of hours per week devoted by each instructor to instruction in each subject.
3. Number of students enrolled, with requirements for entrance, and the shortest period for which students are received.
4. The nature and scope of subjects included in the curriculum, with requirements as to time devoted to each, requirements for graduation (with or without degree) or for certificate, and the number of students who have received such degrees or certificates within a definite period of years.
5. The manner of advancing students from grade to grade, with methods of examination and marking.
6. The correlation of music and nonmusic courses.
7. Amount expended on music instruction and value of plants devoted to musical purposes.
8. Existence of libraries, with number of books contained therein, and number of museums of musical instruments, with information as to their size and character.

Two questionnaires were prepared, and were sent by the Bureau of Education to—

Independent schools of music,
Colleges and universities,
Colleges for women,
Normal schools, and
Secondary schools.

The lists of these institutions were gathered from various sources, about 3,500 receiving the first questionnaire. The second was sent only to those whose replies to the first indicated that they could satisfactorily furnish certain additional information.

This inquiry being the first of its kind, difficulties were met for the solution of which no precedents were available. To be authoritative and reliable it must be discriminating, yet it had no power officially to settle the many vexed questions certain to arise during the course

of the investigation. Among the points which came up for settlement at the outset were:

What shall be the standard of equipment and efficiency demanded to insure listing in the report?

What really constitutes a "school of music?" [a]

What distinction shall be made between schools conducted solely for profit, and those whose aim primarily is educational?

How shall these standards and distinctions be determined?

These are important questions. Their settlement affects the value of the inquiry, yet the statistician has no authority to pronounce judgment.

It was decided, therefore, that in preparing the questionnaires for the inquiry effort should be made so to frame the questions that the answers to them, if properly given, would practically determine these points, the statistics, when published, furnishing evidence to discriminating readers regarding the work done by the institutions replying to the inquiries. To this end, the questions relating to organization and management of finances; to instructors, students, courses of study; to graduation requirements and correlation of courses, musical and nonmusical; to methods of examination and of determining grades, were given particular attention, and have proved to be effective in drawing out the information desired. As was intended, the replies are significant, not only for the precise information they give, but equally so for indicating the attitude of the institutions toward music education.

Naturally, a first inquiry expends much of its effort in breaking ground. Indifference, and even positive disinclination to supply information are met; yet it is hoped that the statistics secured not only will supply definite information heretofore lacking, but will also contribute something, at least, toward the coordination of music schools and uniformity in their courses of study, and be of assistance to those who are striving to have music placed on an equal footing in the scheme of education with other subjects in the curriculum.

Acknowledgment is made to Prof. Waldo S. Pratt, of the Hartford Theological Seminary, and to Prof. F. A. Parker, of the University of Wisconsin, for assistance in securing data.

ARTHUR L. MANCHESTER.

SPARTANBURG, S. C., *June 1, 1908.*

[a] Illustrative of the complexity of this question is an instance called to my attention in the course of correspondence concerning this phase of the report. A "Conservatory of Music," with a title national in character, consisted of one back room on the upper floor of a city building, access to it being had amidst a rather forbidding conglomeration of rubbish. The faculty consisted of one teacher—the proprietor. There was not even an attempt at well-defined, coordinated courses of study. Yet it had taken to itself a high-sounding title, and posed as a school of music. This "institution" is long since dead, but there are many others still in existence, masquerading under similar names.

THE STATUS OF MUSIC EDUCATION IN THE UNITED STATES.

I. HISTORICAL DEVELOPMENT.

In order to an understanding of the present status of music in the United States a careful study of the different elements which have united to produce present conditions is necessary. Music is complex; it has its scientific, æsthetic, pedagogic, and cultural aspects, each also complex in character and providing material for serious and long-continued study, each influencing the development of the others. And in proportion as emphasis is laid upon one or the other it is given a bent of development having a strong bearing upon the symmetrical unfolding of the art of music as a whole. So many factors are thus present in the cultivation of music that for the establishment of a thoroughly efficient system of music education the utmost care is essential to the preservation of the proper balance between them. Instrumental music, including various instruments and the orchestra; vocal music, including solo singing, choral singing, opera, and oratorio; theory, including grammar, form (architectural structure), and composition; the meaning of music as exemplified in these various manifestations; and last, but far from least, the state of musical taste among the people, are factors which must be understood, for they are capable of pedagogic treatment. It is readily seen that the teaching of any one phase of music should be conducted with the reciprocal nature of all musical effort clearly kept in view, yet the failure of musicians in this respect is shown in the history of music education from its beginning until within the last ten years.

It would be well if the historical summary which follows could enter enough into detail to give a more complete view of music history in this country, but the limits of the work forbid, admitting only such facts as bear upon the development of its pedagogic side. In order that those who may wish to pursue the subject further may do so, a bibliography of the history of music in America is subjoined.

BEGINNINGS OF FORMAL MUSIC EDUCATION.

Formal music education has been developed chiefly through the activities of private teachers, independent music schools, and the

teaching of music in the public schools and in colleges and universities. Efforts in all these directions have been influenced and modified by the establishment of orchestras and smaller bodies of instrumentalists in various cities, and the introduction of opera in a few of the largest cities in the country; but regarding these proceedings present limits forbid the entering into detail. Formal music education began with the institution of singing schools, whose purpose was the improvement of church music by teaching youths and adults to sing by note. They were doubtless stimulated by an increasing interest in church music growing out of the crude psalmody of the Puritans. Their educational value was small, those who conducted them possessing slight musical equipment. Their social features had more to do with their popularity than their educational advantages. They were peripatetic, moving about from place to place. Despite their weaknesses they stimulated desire for better things, and the interest they aroused resulted in the formation of choral societies, which later developed into permanent bodies between which and the music festival a direct relation can be traced. The first of these societies was that at Stoughton, Mass., which had its beginning in 1786 and which still exists. In 1815 the Handel and Haydn Society of Boston was founded. This society exerted an increasing influence on musical progress, and is still in existence, its records forming a valuable contribution to the history of musical development.

Musical conventions, which are still held in various parts of the South, were a combination of the old singing school and the choral society. Held in some convenient center, they attracted participants from quite considerable distances. At the conclusion of a more or less serious series of lessons in note reading and the rudiments of music, a concert was usually given, which the public was invited to patronize—largely for the benefit of the conductor. While the work of these conventions was lacking in finish, greater good was accomplished by them than we in this day are prone to give them credit for.

The value of these early efforts lay principally in their direct contact with the people. The modicum of musical instruction provided by them broke ground for later and more pretentious instruction and led to the discussion of methods of teaching, but was less influential than the spreading of musical culture among the people which ensued.

With the growth of interest in music naturally came the effort to train children in the rudiments of music, and a number of pioneers in this field began work early. N. D. Gould, of Boston, organized classes for children in 1824, or earlier, as William Tuckey had previously done in connection with the charity school attached to Trinity Church in New York about 1753. But the title of founder of this phase of music teaching really belongs to Lowell Mason, who went

to Boston from Savannah in 1827. He was better qualified for the work he undertook, not only by reason of his musical equipment, but also because of his study of the Pestalozzian principles of teaching and his possession of marked zeal and personal magnetism. His ideas as to the place of music in general education were definite and advanced. In 1832 he organized the Boston Academy of Music, outlining plans for the promotion of music education in various ways, including the instruction of children and the establishment of normal courses for teachers. This institution soon attracted 1,500 pupils, a significant indication of an awakening interest which needed only well-directed efforts for its rapid advancement. His labors culminated in 1836 in permission from the authorities for trial classes in certain public schools in Boston. The results were so satisfactory that in 1838 Mason was placed in charge permanently. He continued in this service, however, only until 1841, when he was succeeded by B. B. Baker. Mason's normal classes attracted teachers from a wide area, and efforts based upon his methods were initiated in several other States in the East.

New York was also taking steps in the direction of teaching music to children. In 1835 Darius E. Jones taught for some time in one of the city schools with sufficient success to insure permission to continue at the option of the local board, provided no expense was incurred and regular studies were not interfered with. Attempts to gain a definite place for musical instruction, however, were not successful, no effective recognition of music being given until about 1853. The earnestness of its advocates was indicated by their willingness to provide the first pianos introduced in the New York schools by paying for them themselves or by means of concerts given by the children.[a] Efforts in Cincinnati, where Lowell Mason's brother, T. B. Mason, organized music classes similar to those in Boston, eventuated in the introduction of regular instruction in the public schools under the direction of William Colburn. Pittsburg dates the beginning of its instruction in music about 1840. N. D. Gould, to whom reference has already been made, states in his book, Church Music in America, that he was active in establishing singing schools in Massachusetts, New Hampshire, Rhode Island, New York, and New Jersey from about 1820, and especially after 1830. Of these labors he was very proud, expressing extreme satisfaction that he could look back upon the fact that he was the first to introduce the formal teaching of children to sing.

Such were the beginnings of what, after the interruption of the civil war, which seriously retarded efforts of this nature, became the

[a] See paper by George F. Bristow in Proceedings of the Music Teachers' National Association for 1885.

great public school system of music education. Devoted as these men were to the work they had entered upon, there was sown even at this early date the seeds of that misunderstanding and narrowness of view which have been prominent in music education during all its history in this country. Conflict between these teachers, who based their work on the psalmody of the period, and those professional musicians who cultivated music as an art, began to develop at once, and a mutual depreciation arose.

With the practice of music, in its earliest stages, largely vocal, there was comparatively little demand for the services of teachers of instruments; but with the growth of musical taste, the making of pianos, and the cultivation of orchestral music, the number of trained musicians engaged in teaching gradually increased in the eastern cities, until there were scattered about in various parts of the country a sufficient number to produce a marked impression upon the art ideals of the country. This number was largely increased and its influence strengthened by the settlement in America of refugees from Europe during the decade from 1840 to 1850, and after the civil war it became an important factor in music education. The diversity of interests of those engaged in teaching, the conflict of opinion as to what should hold the most important place in the development of music, and the great increase in the number who took to teaching it as an easy way in which to make a living or secure pocket money, soon resulted in confusion and the setting up of false standards, which exerted a baneful influence on the whole system of music education.

SCHOOLS AND CONSERVATORIES OF MUSIC.

The early enterprises which might be dignified by the name of schools were of doubtful character and were devoted solely to the rudiments of music, and, in all probability, were given an impetus by singing classes. The first music school in the true sense was that projected by Eben Tourjée, of Fall River, Mass., and put into operation at East Greenwich, R. I., in 1859. Later, Tourjée started a conservatory at Providence, and, in 1867, founded the institution that, in 1870, was incorporated as the New England Conservatory of Music. Before this (in 1863) he had spent some time in Europe investigating methods there and studying with Haupt and other prominent teachers. His ideas were progressive and sound, and his talent for organization enabled him to carry them out with good effect. He was the first to introduce class instruction in other subjects than singing. His perception of the interrelation of the various branches of the musical art was clear, and it was his purpose to work out a well coordinated curriculum. The New England Con-

servatory has stood for serious music study ever since, and has grown in size and influence until it is probably the best known institution of the kind in America.

Many institutions, with similar aims and established about the same time or at later periods, have become integral parts of the American musical education system, exerting great influence on American music life. Among them may be mentioned the Boston Conservatory of Music, established by Julius Eichberg (1867); the Chicago College of Music, Ziegfeld (1867); the Cincinnati Conservatory of Music, Miss Baur (1867); the Oberlin Conservatory of Music (1867), now incorporated with Oberlin College; the Philadelphia Musical Academy (1869); Dana's Musical Institute at Warren, Ohio (1869); the Cleveland Conservatory of Music (1871); the Detroit Conservatory of Music (1875), and others of later founding. With these have sprung into existence a host of independent schools calling themselves conservatories, local in influence, whose methods of procedure and artistic ideals vary according to the purposes of their founders. Some of them doubtless are sincere in their aims, and strive to do work as thorough as their resources permit; but in too many cases mercenary motives are behind their establishment, and their entire workings are dictated by a commercial spirit.

DEPARTMENTS OF MUSIC IN COLLEGES, ETC.

The institution of departments of music in colleges is so intermingled with the founding of these independent schools that no sharp line of distinction can be drawn as to their early history. Here, too, the motives animating those concerned have been mixed. While serious educational aims have inspired some, in many instances expediency has ruled the situation, and the treatment of music education in colleges, particularly those for women, and in secondary schools has been one of confusion, and, too often, of low standards. The larger institutions are notable exceptions. As early as 1837 a society known as the Harvard Musical Association, composed of alumni of Harvard College, announced as its ultimate object—

> The advancement of the cause of music, particularly in this university. We would have it regarded as an important object of attention within its walls, as something which sooner or later must hold its place in every liberal system of education—and that place not accidental or a stolen one, but formally recognized. We that love music feel that it is worthy of its professorship, as well as any other science.

This statement, quoted by Ritter in his "Music in America," is a forerunner of many such avowals in recent years. While the object was not immediately realized, nearly thirty-five years elapsing before Harvard fully met the desires of its promoters, the time

has come when not only in that university but in others such recognition is accorded. But it was not until 1860 that a movement in that direction was made, and then it was step by step. First an instructor in music was permitted to do some teaching in certain subjects as an irregular part of the curriculum. Notable instances are Harvard, with John K. Paine, who began his work in 1862, reaching a full professorship in 1876; Oberlin College, Fenelon B. Rice, in 1869; Vassar College, Frederic Louis Ritter, in 1867; the University of Pennsylvania, Prof. Hugh A. Clarke, in 1875. Then came the granting of credit for certain courses in music toward the degree of A. B., Harvard taking the lead in 1870. Next followed the final step of granting credit toward entrance for musical qualifications, which has been taken only within the past six or eight years.

PROGRESS MADE.

The steps in the development of formal music education here concisely stated have occupied more than a century in the taking. If the progress made during that time does not compare favorably with that in other fields of educational effort, it should be remembered that many incentives so prominent in the others have here been lacking. Music has not been considered so vital a part of the political, moral, and social life of the nation as those arts upon which depends the earning capacity of individuals. Not only were its exponents compelled to clarify their own views concerning its purposes and methods, to find themselves, in short, but also to make head against a public opinion dominated by strong utilitarian ideals. The absence of unifying agencies has weakened, and too often nullified, the efforts of musicians, leaving them solitary and unsupported in their attempts to build up an educational music system. Yet, unsatisfactory as are many present conditions, the change from the unmusical psalm singing of the Puritans, the ambitious rather than musically satisfying concert performances of fifty years ago, and the low state of musical taste of a large part of the nineteenth century, to the artistic concerts, the immense attendance upon public performances, and the higher state of musical culture and critical acumen of the people now witnessed, is indicative of a long stride forward.

WORKS ON THE HISTORY OF MUSIC IN AMERICA.

Those who wish to investigate more fully the growth of music and music education in the United States are referred to the following publications, and to the list of works on music education on pages 83–84:

Brooks, Henry Mason. Olden-time music; a compilation from newspapers and books. With an introduction by Professor Edward S. Morse. . . . Boston, Ticknor and company, 1888. [ix] xx, 283 p., front., illus. 12°.

"The design of this work is to give some account of music in 'ye olden time' in New England."—Pref.

Elson, Louis Charles. The history of American music. With twelve full-page photogravures and one hundred and two illustrations in the text. New York, London, The Macmillan company, 1904. xiii, 380 p., incl. illus., plates, ports., front. 4°. (The history of American art, ed. by J. C. Van Dyke.)

"General bibliography," pages 367–368.

[Howe, Granville L.] *ed.* A hundred years of music in America. An account of musical effort in America during the past century . . . together with historical and biographical sketches of important personalities. W. S. B. Mathews, associate ed. Chicago, G. L. Howe, 1889. ix, 6–715 p., illus. (incl. ports., facsims.). 8°.

Music Teachers' National Association. Papers and proceedings, 28th annual meeting, Oberlin, Ohio, June 26–29, 1906. [Hartford, Conn.] published by the association, 1906. 200 p. 8°.

——— 29th annual meeting, Columbia University, New York City, Dec. 27–31, 1907. [Hartford, Conn.] published by the association, 1908. 284 p. 8°.

Ritter, Frédéric Louis. Music in America. New ed., with additions. New York, C. Scribner's sons, 1890. xiv, 521 p. 8°.

"Musical examples," pages 508–513.

Ryan, Thomas. Recollections of an old musician. New York, E. P. Dutton & Co., 1899. xvi, 274 p., pl., port. 8°.

Sonneck, Oscar George Theodore. Early concert-life in America (1731–1800). Leipzig, Breitkopf & Hartel, 1907. 338 p. 4°.

Bibliographical footnotes.

II.—RESULTS OF THE INQUIRY.

The statistical tables contained in this work are based on questionnaires sent out by the Bureau of Education in 1907. Replies were received from 1,088 institutions. Of these, 381 gave no information which could be used, or were not organized institutions; 112 colleges, normal schools, and universities reported no music departments maintained; the remaining 595 furnished more or less completely the information desired. Financial statements were not made by 348 of this number. The resulting statistics have been classified so that the tabulations for independent schools of music, colleges and universities, colleges for women, normal schools, and secondary schools appear separately. A study of tables 6, 7, 8, 9, and 10 will show that the most important institutions in each class are represented. With perhaps two or three exceptions, all the leading independent schools of music are included. In each of the other classes institutions most influential in educational work have responded. In the 1906 Report of the Commissioner of Education, 577 institutions of higher education, not including schools of technology, are reported as replying to the inquiries of the Bureau. Two hundred and eight of these institutions, including those of highest rank, have responded to this first specific inquiry for detailed statistics regarding music instruction. It is fair to believe, therefore, that the statistics herein given truthfully reflect the conditions now existing in organized music education.

INCORPORATION OF SCHOOLS.

It will be noted that of the 595 schools reporting, 281 are incorporated, 170 not incorporated, and 144 do not reply to this question. The following table gives this information in detail:

Class of institutions.	Incorporated.	Not incorporated.	Not reporting.	Total.
Independent schools of music	24	34	3	61
Colleges and universities	65	37	49	151
Colleges for women	48	2	7	57
Normal schools	30	29	29	98
Secondary schools	114	68	46	228
Total	281	170	144	595

In schools which are not incorporated the financial management is usually in the hands of the director or proprietor. In the majority of cases the director and proprietor are one.

INSTRUCTORS AND SUBJECTS TAUGHT.

The total number of instructors in independent music schools reporting is 607. The number in each school varies from one to fifty-six. In many schools specialists and lecturers are called upon for special instruction, giving only a few hours a week to the institution. The hours per week devoted to their respective schools by individual instructors range from two to sixty. The average number for each instructor in the schools reporting is twenty. The subjects taught refer mainly to performance and composition and professional training. The various instruments, voice culture and singing, and theoretical subjects, with more or less attention to esthetics, comprise their curricula. In the largest conservatories modern languages are taught as a part of courses in singing, and dramatic action and operatic repertoire are given considerable attention. Technique, interpretation, and repertoire are the chief desiderata.

Of 334 universities and colleges for both sexes and colleges for women responding to the inquiry, 95 report no departments of music. In many of these glee clubs and orchestras are maintained by the students, but no specific instruction is given. The number of instructors engaged in 208 of these institutions is 974. The number of hours per week devoted by each to instruction ranges from two to forty. The majority give practically their entire time to the institution with which they are connected. The average number of hours per week for each instructor is twenty and one-half.

The subjects taught are the same as in independent schools of music. Instruction is given in practical music, from elementary work to concert playing and singing, theoretical subjects, history of music, and esthetics. While each is organically connected with its college or

university, educationally the tie binding them in the majority of cases is elastic, and they are managed as independent music schools, with the same musical aims and ideals. In universities and colleges of the highest grade, however, theoretical subjects, including harmony, counterpoint, canon, fugue, and composition are the institutional courses, practical music being totally ignored in some, and only incidentally cultivated in others. In them, as well as in a considerable number of smaller institutions, musical appreciation, including form and analysis, is offered as a regular course.

Replies were received from 130 normal schools, 98 giving statistics which could be embodied in this report. Vocal music, with especial reference to its use in the public schools, is the leading subject, many schools maintaining no regularly organized music departments. In those which do, the subjects and methods and aims of instruction are similar to those in the institutions already mentioned. Two hundred and twenty-five instructors are reported as engaged in giving music instruction in normal schools.

A statement of the work in secondary schools would be a recapitulation of what has already been said, with the addition that the standards of excellence and efficiency do not as a rule compare favorably with those in the institutions of higher education. Of the 228 schools reporting, 46 per cent employ one or two instructors whose entire time is given to the institution and whose duties are to give instruction in piano, singing, organ, violin, and theory. There are schools among the number reporting which have well-organized departments and well conceived courses of study. In some mention is made of the advantages accruing from the study of music in connection with subjects in the literary departments, and in a few instances the completion of a high-school course of at least three years is required before graduation in music. Attention here, as in many institutions in the other classes, is directed mainly to performance, with some emphasis on theoretical subjects. The number of instructors reported is 700.

STUDENTS ENROLLED.

The total number of students enrolled is 77,359. According to the Report of the Commissioner of Education, the enrollment of students in colleges and universities for 1907 was 149,700. The enrollment of music students in 208 of these institutions was 26,743, over 17 per cent of the entire number. Entrance requirements exist in very few instances. The shortest period for which students are received is five weeks in certain of the independent schools. The majority of schools do not receive students for a shorter period than ten weeks. In colleges and universities the shortest period is one

term or semester. The following table gives the number of music instructors and students in 1907, and the number of graduates and students receiving certificates in the last five years:

Class of institutions.	Schools reporting.	Instructors.	Students.	Graduates in last 5 years.	Students receiving certificates in last 5 years.
Independent schools of music	61	607	17,122	1,962	1,971
Colleges and universities	151	680	18,971	1,652	633
Colleges for women	57	294	7,772	491	323
Normal schools	98	225	18,994	653	86
Secondary schools	228	700	14,500	634	636
Total	595	2,506	77,359	5,392	3,649

NATURE AND SCOPE OF SUBJECTS.

An examination of the music courses offered by the institutions replying to this inquiry classifies them into—

Theoretical and æsthetic courses,
Practical or applied courses,
Cultural courses.

To the first class belong all such subjects as foundation principles, harmony, counterpoint, canon, fugue, composition, form, history of music, and orchestration; to the second, all courses in the mastery of any instrument and of singing, and to the third, those courses offered for the purpose of developing an appreciation of music, including foundation principles, enough of the grammar and form of music to give an understanding of its structure, history, and analysis of compositions.

The scope of these courses varies with the resources and seriousness of purpose of the institutions offering them. In those of the highest rank, they are well planned, carefully coordinated, and thoroughly carried out. In independent schools of music there are no entrance requirements. In a number of leading colleges a knowledge of rudiments is demanded as an entrance requirement. As has already been indicated, in a large majority of institutions the courses in practical music occupy the foremost place in the curriculum. This is so largely the case that it can truly be said that the nature and scope of music education is still chiefly confined to the development of a greater or less degree of virtuosity in performance, with a considerable amount of attention given to instruction in foundation and theoretical principles. Many independent schools of music, it is true, and a large number of colleges and universities, and a smaller number of secondary schools demand work of the most exacting nature; their courses are thorough, comprehensive within their limits, and at their completion reach a high standard of artistic excellence. But in the greater number of institutions of all classes

the coordination of courses has not reached so satisfactory a stage, and performance overshadows all else, the standards here also differing considerably.

The time required for the completion of these courses indicates their nature and scope. Some institutions offer certificates at the end of two years of instruction; others on completion of a stated portion of the regular course for graduation. Some schools name from three to seven years as necessary for graduation; others, again, give no time limit, setting instead a standard of accomplishment which must satisfactorily be met before graduation.

ILLUSTRATIVE CURRICULA.

It is obvious that the educational value of a course of study does not lie in a statement of its requirements, however comprehensive and systematic that may be. A paper course may be a model of excellence, but unless its provisions are properly carried out and its requirements strictly met, its worth educationally is nil. It is certain that too great differences in standards exist in schools offering practically the same courses. Hence the mere cataloguing of courses is not a criterion as to the educational status of the schools offering them. Yet the following curricula, offered by representative institutions, whose standing is such as to assure intelligent enforcement of course requirements, are significant as showing the care which is being taken by institutions of serious purpose to properly coordinate the various branches of musical instruction into a comprehensive educational scheme. The fact that these curricula are typical is indicative of widespread efforts on the part of musical educators to provide such schemes of music education, and gives evidence of a purpose which, in time, must also bring about a greater uniformity of standards.

The curricula cited are offered by certain universities and colleges and independent music schools representative of those which have replied to the inquiries of this investigation. They illustrate the purely theoretical courses offered by institutions which do not give instruction in practical music and by those which combine theory and practice. The curricula from independent music schools are from a metropolitan conservatory with ample resources and from a smaller school, located in a small city, which is typical of the larger number of such institutions. Entrance requirements are given where such exist, and the entrance requirements of one institution, which stands almost alone in this particular, are given in full.

The first two courses are offered by independent schools of music—the first by one with a good endowment and large receipts from tuition; the second from a conservatory which is dependent upon its tuition fees alone for support.

CURRICULUM NO. 1.

LIST OF SUBJECTS TO BE TAUGHT.

Acoustics.
Conducting.
Elements of music (notation, rhythm, etc.).
Ensemble playing.
History and æsthetics of music.
Interpretation, instrumental and vocal.
Languages in their relation to music.
Music dictation.
Music form and analysis.
Music pedagogy in all its branches.
Opera singing.
Oratorio singing.
Organ playing.
Organ structure.
Pianoforte playing.
Score reading and playing from the old clefs.
Sight singing and sight playing.
Song singing.
Stage deportment and dramatic action.
Stringed-instrument playing (violin, viola, violoncello, double bass, and harp).
Theory: Harmony, counterpoint, and composition.
Vocal culture.
Wind-instrument playing (clarinet, oboe, horn, trumpet, flute, etc.).

COURSES OF STUDY.

All regular students will be required to follow a prescribed course of study designed to impart a broad and liberal knowledge of the art. It is not the wish that instruction shall be given only to persons who intend to follow music as a vocation. A thorough musical education is offered to all who desire seriously to learn the art, be their purposes what they may. There are regular and special courses in each branch of study. For the former, no formal entrance examination is required. Applicants are examined, but solely with a view to assigning them to the course of study for which they seem best fitted. Nevertheless, should students, in the regular courses, through want of capacity or industry, fail to disclose satisfactory results, they will not be allowed to continue their studies. In order to be admitted to the special or artists' courses, applicants must satisfy the director as to the degree of proficiency already attained, and if deemed necessary by him must pass an examination. The institute also provides a course of study for persons who do not play upon an instrument of music, sing, or compose, but who are lovers of music and wish to enhance their enjoyment of it by learning to listen to it discriminatingly, with understanding and appreciation of its beauties. Such listening is also an art capable of cultivation.

The duration of the courses of study varies according to their nature and the rate of progress made by the student. Instruction is individual, but there is also class work, so that each student has the benefit of the instructor's criticisms of his fellows.

The amount of time which a student of any of the principal courses is expected to spend at the school differs according to the nature of the course and the grade of the student. As a rule, he will attend two whole forenoons or afternoons per week, with now and then an additional hour for special lectures, etc. This time would include two half-hour individual lessons in the principal subject. In addition to this, there would be at least one hour of harmony or counterpoint, one hour of ear training and dictation, one hour of sight and choral singing, and one or two hours for lectures.

Attendance at recitals, rehearsals, etc., would probably add an hour or two per week to those enumerated above.

Additional lectures instituted from time to time will be open to all regular students without extra charge. It is the policy of this school to open as many avenues of information as possible to all its students.

EXAMINATIONS AND DISTINCTIONS.

Examinations will be held at stated intervals, and students will be rated according to their ability and the progress they have made. To all students who pass satisfactorily the final examinations in the prescribed, or, as they have been termed herein, "regular," courses of instruction, diplomas will be issued. Students completing any one of the special courses will receive a certificate. Teachers' certificates will be bestowed upon all students who shall successfully pass through any one of the teachers' training courses. Holders of diplomas will form the alumni and alumnæ of the institute; holders of certificates will be termed associates.

The courses have been outlined as follows:

SINGING.

REGULAR COURSE. THREE YEARS.

Vocal culture—tone placing, vocalises, interpretation.
Ear training—sight singing, music dictation, choral practice.
Elements of music—notation, intervals, rhythm, etc.
Theory of music—melody writing, harmony, form, analysis, counterpoint.
Piano playing—for general musicianship.
Languages—Italian, German, French.
Attendance on lectures, recitals, rehearsals, and concerts.

ARTISTS' COURSE FOR CONCERT AND ORATORIO.

(*Post-graduate.*)

Songs—Italian, German, and French.
Recitative and aria.
Study of the standard oratorios.
Advanced theory.
Languages—Italian, German, and French.
Declamation and stage deportment.
Ensemble singing, with other solo voices, chorus, and orchestra.
Attendance on lectures, recitals, rehearsals, and concerts.

ARTISTS' COURSE FOR OPERA.

(*Post-graduate.*)

Study of the standard operas, old and new.
Advanced theory.
Languages—Italian, German, and French.
Declamation.
Stage deportment and dramatic action.
Chorus and ensemble practice.

SPECIAL TRAINING COURSE FOR TEACHERS.

(*Post-graduate.*)

Vocal culture.
Ear training—sight singing, music dictation, choral practice.
Advanced theory.
Languages—Italian, German, and French.
Pedagogy.
Anatomy of the vocal organs.
Attendance on lectures, recitals, rehearsals, and concerts.

PIANOFORTE.

REGULAR COURSE. THREE YEARS.

The piano—technic, touch, phrasing, interpretation, etc.
Ear training—sight singing, music dictation, choral practice.
Elements of music—notation, intervals, rhythm, etc.
Theory of music—melody writing, harmony, form, analysis, counterpoint.
Sight playing—ensemble practice with two pianos and with strings.
Attendance on lectures, recitals, rehearsals, and concerts.

ARTISTS' COURSE.

(*Post-graduate.*)

The piano—technic, touch, phrasing, advanced interpretation.
Advanced theory.
Ensemble playing in chamber music and with orchestra.
Attendance on lectures, recitals, rehearsals, and concerts.

SPECIAL TRAINING COURSE FOR TEACHERS.

(*Postgraduate.*)

The piano—technic; touch, phrasing, interpretation, etc.
Ensemble playing.
Advanced theory.
History of the pianoforte and its music.
Pedagogy.
Practical experience in preparatory teaching.
Attendance on lectures, recitals, rehearsals, and concerts.

ORGAN.

REGULAR COURSE, THREE YEARS.

The organ—technic, touch, phrasing, interpretation, registration.
Ear training—sight singing, music dictation, choral practice.
Elements of music—notation, intervals, rhythm, etc.
Theory of music—melody writing, harmony, form, analysis, counterpoint.
Organ structure.
Organ accompaniment.
Attendance on lectures, recitals, rehearsals, and concerts.

STRINGED INSTRUMENTS: VIOLIN, VIOLA, VIOLONCELLO, HARP.

REGULAR COURSES, THREE YEARS.

The instrument—its technic, phrasing, interpretation, etc.
Ear training—sight singing, music dictation, choral practice.
Elements of music—notation, intervals, rhythm.
Theory of music—melody writing, harmony, form, analysis, counterpoint.
Piano playing—for general musicianship.
Ensemble playing.
Attendance on lectures, recitals, rehearsals, and concerts.

ARTISTS' COURSES.

(*Postgraduate.*)

The instrument—advanced technic and interpretation.
Advanced theory.
History of the instrument and of its music.
Study of chamber music.
Ensemble playing with orchestra.
Attendance on lectures, recitals, rehearsals, and concerts.

SPECIAL TRAINING COURSES FOR TEACHERS.

(*Postgraduate.*)

The instrument—its technic from the normal standpoint.
Practical experience in preparatory teaching.
Advanced theory.
Pedagogy.
History of the instrument and of its music.
Study of chamber music and ensemble playing.
Attendance on lectures, recitals, rehearsals, and concerts.

ORCHESTRA COURSES.

Courses for all orchestra instruments and under teachers representative of the best French, Belgian, German, and Italian schools have been established. They include the following instruments:

Double bass.
Bassoon.
Clarinet.
Flute.
All percussion instruments.
Horn.
Oboe.
Trombone.
Trumpet.
Other wind instruments.

In each case the prescribed course covers, in addition to the principal subject:
Ear training—sight singing, music dictation, etc.
Elements of music—notation, intervals, rhythm.
Theory of music—melody writing, harmony, counterpoint, form, analysis.
Ensemble playing—orchestra practice.
Attendance on lectures, recitals, rehearsals, and concerts.

POSTGRADUATE COURSE IN THEORY.

Music form.
Music analysis.
Applied counterpoint.
Double counterpoint.
Fugue.
Instrumentation.

Practical composition in all forms.
Score reading, vocal score in the old clefs, orchestra score.

PREPARATORY CLASSES.

Under the supervision of the principal teachers, students in the special-training courses for teachers (piano or strings) will give lessons, designed to familiarize them with the practical work of teaching elementary pupils who are not yet members of the regular or special courses. The preparatory courses are open to persons of all ages and both sexes, and will prepare them for admission to the regular courses.

LECTURE COURSE.

Subscribers to the lecture course have the right to attend all the lectures and recitals given at the institute.

Following are the subjects for the current year:
The Beethoven symphonies.
The development of vocal art.
How to listen to music.
The history of music.
Music as a culture study, its individual and community value.

This lecture course is specially designed for persons who wish to increase their capacity for musical enjoyment without making a practical study of the art. The

lectures are illustrated by the performance of music of the highest and most representative kind. It is not enough to read about music, or hear about it, or even to hear it in a purposeless way. It must be heard intelligently to be fully appreciated; and it is the purpose of this course to teach students to listen intelligently.

This curriculum, offered by a school of music well able to carry out its provisions, is a careful attempt to properly coordinate the various subjects germane to the complete music education of teacher, performer, or composer.

CURRICULUM NO. 2.

The following courses are from the catalogue of a conservatory which is a type of many scattered throughout various sections of the United States. Its support is derived solely from its tuition fees. With a still larger number of conservatories whose resources are smaller it represents the predominating class of independent music schools.

PURPOSE OF INSTRUCTION.

It will be the constant endeavor of our instructors in music and drama not only to ground pupils thoroughly in the theory of their art but to give them a finish in execution. Whether students take up their work purely from a motive of self-culture or for a professional career, the method of instruction should be the same. The demand to-day is for practical results, and we need public criticism to ascertain our true merit. For this reason our pupils will be called upon often to appear before audiences.

COURSES OF STUDY.

The conservatory offers systematic courses of instruction in piano, voice culture, organ, violin, violoncello, and orchestral instruments, in orchestral and ensemble playing; all theoretical branches; art of conducting and history of music, and in the art and science of teaching. They comprise five distinct departments of study, as follows:

1. Introductory course or general musical instruction.
2. Advanced course.
3. Teachers' course.
4. Diploma course.
5. Postgraduate course.

INTRODUCTORY COURSE.

This course is open to any student wishing to pursue musical study without reference to graduation, or to prepare for either of the more advanced courses offered. No previous knowledge of music is required. This course includes the elementary classes in which children from seven years upward are taught the principles of music in such a manner as to stimulate true musical appreciation and to lay the foundation for the more advanced work in vocal and instrumental music.

ADVANCED COURSE.

This course is especially offered to advanced students. Applicants must have had musical training and evince sufficient ability to insure progress in their work.

TEACHERS' COURSE.

The preparation of teachers being so important to every successful school, a special course of study calculated to give a thorough training in methods of teaching has been

introduced. A special teachers' certificate will be given to those students who have satisfied the following conditions:

Candidates for graduation are required to have sufficient mastery of some instrument or the art of singing to give a private recital; have pursued studies in the art of teaching, and had practical experience in teaching under the supervision of their teacher for at least one year. The theoretical requirements for this course are the same as in the diploma course.

DIPLOMA COURSE.

The diploma course is open to any person who is qualified to pursue more advanced studies. It furnishes thorough training for entrance into professional life, although it is not restricted to students having such an end in view. No prescribed order of study is laid down, as the varied needs of the students demand an elasticity in the course which precludes the possibility of an adequate statement of required work. The student has to pass an examination so arranged as to demonstrate artistic skill in performance and an accurate and thorough knowledge of the theoretical, historical, and critical aspects of music as an art. Candidates must give a creditable and adequate public performance of a programme as required by the mentioned models, also satisfactorily prepare without aid a composition given fifteen days in advance, read at sight a composition of medium difficulty, and pass successfully the required examination in theory and history of music.

The diploma course may be pursued still further, and for such advanced work a special postgraduate certificate will be issued.

POSTGRADUATE COURSE.

The postgraduate department has for its object the more complete development of those who desire to prepare themselves for positions of large responsibility in the higher walks of the musical profession.

Candidates for admission to the postgraduate course must previously have completed the regular course in the conservatory, and have received its diploma.

VOICE CULTURE.

Tone work—physiology, breath control, voice placing.

Enunciation—attack, release, vibration, legato. (Vowels, diphthongs, and consonants.)

Sight singing—staff notation, rhythm, ear training, harmony.

Repertoire—interpretation and classification.

SONG, ORATORIO AND OPERA COACHING.

Pupils desiring to acquire the true rendition in oratorio solo singing, as exemplified in the interpretation of the great singers and conductors, can secure the necessary knowledge and thus equip themselves for public performances.

ENSEMBLE CLASSES.

Students who have acquired fluency and experience in piano, violin, or violoncello playing are most earnestly advised to enter one of the ensemble classes, thus gaining experience in ensemble playing and accompaniments and acquiring a knowledge of the best chamber music and other instrumental compositions.

SIGHT-READING AND SIGHT-SINGING CLASSES.

These classes afford to pupils an excellent practice in reading at sight, develop the sense of rhythm, give experience in ensemble work, and familiarize the student with the compositions of the great masters.

EXAMINATION FOR DIPLOMAS.

Graduating diplomas are awarded to students who have studied at the conservatory and who successfully pass the examination which the graduating rules of the conservatory demand.

The following examinations will be required:

Piano.—Performance of a composition given fifteen days in advance and prepared by candidate without assistance.

Reading at sight.

Elementary theory.

Advanced theory (at least one year's study).

History of music.

Acceptable performance of five complete compositions from the works of standard composers, including a concerto.

Voice.—Rendition of a composition given eight days in advance and prepared by candidate without assistance.

Rendition at first sight of a composition (words and music).

Rendition from memory of one or more selections from a repertory of six belonging to the oratorio, opera, or song literature.

Elementary theory.

Advanced theory (at least one year's study).

History of music.

Fair piano technique.

Violin and other orchestral instruments.—Performance of a composition given fifteen days in advance and prepared by candidate without assistance.

Performance of a composition at sight.

Elementary theory.

Advanced theory (at least one year's study).

History of music.

Performance of a composition from a repertory of six.

Organ.—Performance of a composition given fifteen days in advance and prepared by candidate without assistance.

Elementary theory.

Advanced theory (at least one year's study).

History of music.

The candidate must give an acceptable performance from a repertory of six compositions.

MODEL FOR GRADUATION.

PIANOFORTE.

Bach—prelude and fugue.

Moscheles—concerto in G minor.

Beethoven—sonata Op. 26.

Chopin—nocturne in F sharp, fantasie impromptu.

Brahms—ballade in D, intermezzo.

Weber-Tausig—invitation to the dance.

VOICE.

Arias from oratorios and operas.

Group of songs from best German composers.

Group of songs from best Italian and French composers.

Group of songs from best English and American composers.

Candidates are required to be able to accompany songs of medium difficulty.

Violin and organ models to be decided by the directors of the respective departments.

LECTURES ON HISTORY OF MUSIC.

Our free list further includes a course on history of music. This course comprises a series of lectures in which a full analysis of music in its development from ancient times to the present day will be given. The lectures are both instructive and interesting. The following course is scheduled for this year:

1. The Chinese, Japanese, Hindoos, and Egyptians.
2. The Hebrews, Assyrians, Arabs, Greeks, and Romans.
3. Early Christian church music. Efforts at notation and part singing. Popular music in the middle ages: The troubadours, minstrels, minnesinger, meistersinger.
4. Development of polyphony. The old French and Netherland schools. Luther and the German chorale.
5. The classic era of Italy. The different schools. Beginning of oratorio and opera. Instrumental music and instruments.
6. The old French opera. Germany under Italian influence. Bach, the first of the German classicists.
7. The era of the classic composers in Germany. The development of the pianoforte.
8. The Romantic school.
9. French and Italian opera during the last two centuries. Wagner in Germany.
10. The more modern composers, singers and virtuosi. American music. The status at present.

The curricula Nos. 3 and 4 are offered by universities of high rank, the first giving instruction in theoretical subjects only, the second having a completely equipped school of music and giving instruction in both theoretical and practical music. The first grants credit in music both at entrance and toward a degree; the second, toward a degree only.

CURRICULUM NO. 3.

ENTRANCE REQUIREMENTS (HARMONY).

The examination will be adapted to the proficiency of those who have studied harmony in a systematic course of three lessons a week through one school year. In this study some training in pianoforte playing, and the ability to read chorals and moderately easy piano pieces at sight are necessary. This course is equivalent to music 1. The work will consist chiefly of exercises written on figured basses in which all the triads and seventh-chords are to be employed progressively. Exercises must be written in a clear and well-formed notation.

COURSES IN MUSIC.

The aim of the courses is twofold:

1. To provide a thorough training for students who intend to follow the musical profession as teachers and composers.
2. To offer a course of technical study to those who wish to devote themselves chiefly to musical criticism and literature, and for the cultivation of musical taste.

Course 1 is the necessary introduction to all the other courses, except music 3. Proficiency in playing the pianoforte is of great advantage to the student in all the courses, and in 1, 2, 5, 6, and 7 is required. Advanced players on the violin, violoncello, and other orchestral instruments, and vocalists, may take music 1, provided they are able to play chord exercises on the piano.

Courses 1, 2, 5, and 6 must follow each other in regular order.

Course 3 requires practical knowledge of vocal or instrumental music.

Courses 2, 2*a*, 2*b*, and 4 require knowledge of harmony.

Courses 5 and 7 require knowledge of harmony and counterpoint.

Students who intend to take only one course in music, for the cultivation of musical taste and general knowledge, are recommended to elect music 3, as best adapted to this end.

Students who intend to specialize in music, by taking several courses, or to try for honors in music, are required to elect music 1 in their first year in college. Students for honors must take the courses in the following order:

Freshman year, music 1.

Sophomore year, music 2 and 4.

Junior year, music 2*a* or 2*b* and 5.

Senior year, music 6 and 7.

Music 3 must be taken either in the sophomore, junior, or senior year.

Students for honors in music who enter college in the sophomore year must take the courses in the following order:

Sophomore year, music 1 and 3.

Junior year, music 2, 2*a* or 2*b*, and 4.

Senior year, music 5, 6, and 7.

Students who wish to try for honors in music must consult with their instructor in harmony and the head of the department before the end of the first year.

DESCRIPTION OF COURSES.

1. *Harmony.*

The fundamental principles of the theory of music are embodied in the study of harmony, which treats of the different chords in their natural relations and combinations. The subdivisions of the subject are as follows: Intervals, or the measurement of the difference in pitch between one tone and another; triads, seventh, and ninth chords with their inversions and resolutions; chromatically altered chords; augmented chords; cadences; suspensions; passing and changing notes; organ point; modulation.

The work consists of written exercises on basses (both figured and unfigured) and the harmonization of given melodies in three and four voices. These are corrected by the instructor out of the class room and subsequently discussed with the students individually. Many exercises are also worked out on the blackboard by the sudents.

Modern Harmony, by Foote and Spalding, is used as the basis of the instruction. The treatises of Prout, of Chadwick, and of others are used as reference books, and supplementary illustrations and explanations are given in the class room. The course is open and specially recommended to freshmen.

2. *Counterpoint.*

Counterpoint applies the principles of harmony to the melodious treatment of the several voice parts in combination. The study of this subject naturally follows that of harmony and develops the contrapuntal facility necessary to all forms of composition.

The work will include the free harmonization of chorals and melodies, the various orders of counterpoint, the contrapuntal treatment of cantus firmus in different voices, and simple forms of free composition.

Spalding's Counterpoint will be used as a text-book.

[2*a hf.* *Vocal counterpoint, with analysis of choral works of the great composers.* (*Half course.*)]

This course is supplementary to music 2. Exercises and analyses and short vocal compositions.

Particular attention will be given to the composition of original pieces in the various styles, i. e., for men's voices, for women's voices, for mixed chorus, and also for solo voice with accompaniment.

[*2*b hf. *Medieval or modal harmony and its application.* (*Half-course.*)]

The object of this course is to give a clear understanding of modal harmonization as applied to the accompaniment of plain song, and to prepare the student for the intelligent study of the contrapuntal master works of Palestrina and other early composers.

The course is open to students who have a good knowledge of harmony and counterpoint, but can be taken only with the consent of the instructor.

Text-book, Niedermeyer's Gregorian Accompaniment.

Reference books, Dickinson's Music in the History of the Western Church; Haberl's Magister Choralis, etc.

3. *History of music from the time of Palestrina to the present day. Lectures, reading, and reports.*

This is a literary course, which does not require special technical skill; it is open to all students who have practical knowledge of vocal or instrumental music.

Instruction is given in the form of lectures. The growth of music from ancient to modern times is traced in outline, including the history of early church music, the origin and development of the modern scales and counterpoint, and the choral music of the early Flemish and Italian masters. The history of the opera, cantata, and oratorio is studied in detail.

Special attention will be given to the compositions of the great masters of the eighteenth and nineteenth centuries, and also to the tendencies in the development of music at the present day.

Vocal and instrumental works are performed in the class room. An æolian orchestrelle is also used to illustrate the work of the great composers.

The following text-books are recommended: Dickinson, The Study of the History of Music; Riemann's Musical History (Augener & Co., London); Ambros, Geschichte der Musik, 4 volumes (Leipsic); Von Dommer, Musik-Geschichte (Hamburg); Fetis, Histoire de la Musique, 4 volumes; Langhans, History of Music (Schirmer, New York); Naumann, History of Music, 2 volumes (London); Bonavia Hunt's History of Music; Rockstro, History of Music (Scribner & Welford, New York); Ritter's Student's History of Music (Ditson Company); Grove's Dictionary of Music (Macmillan & Co.); Famous Composers and their Works (J. D. Millet Company, Boston); Life of Mozart, Jahn, 2 volumes (Novello, London); Life of Bach, Spitta, 3 volumes (Novello, London); Finck, Life of Wagner (Scribner, New York); lives of Handel, Haydn, Beethoven, Schubert, Schumann, Wagner, and other great composers (Macmillan series).

4. *Musical form, with analysis of the works of the great composers, and collateral reading.*

This course requires knowledge of harmony.

A knowledge of musical form (or thematic construction) is essential to the thorough understanding and appreciation of the works of the great composers, as embodied in their symphonies, overtures, chamber music, sonatas, etc.

A selection of the most important instrumental works of Haydn, Mozart, Beethoven, Schubert, Schumann, Mendelssohn, Chopin, Liszt, Brahms, Tschaikowski, and other modern masters will be analyzed by the students and played on the pianoforte in the class room by the instructor and others. An æolian is used in the performance of symphonic works.

The following text-book is used: Prout's Musical Form.

Collateral reading is required in these works: Evolution of the Art of Music, Parry; The Sonata Form, Hadow; The Pianoforte Sonata, Shedlock; Beethoven and His Nine Symphonies, Grove.

5. *Canon and fugue.*

Canon and fugue are the most advanced forms of polyphonic composition, and require a thorough knowledge of harmony and counterpoint.

The object of this course is to perfect the contrapuntal technique of the student, and to prepare him for the study of the larger and freer forms of composition.

The work will be based largely upon the fugal works of Bach and will consist of practice in writing canons of all varieties, and in the analysis and composition of fugues.

There will also be practice in the simpler forms of free music for voices and for various instruments.

Jadassohn's Canon and Fugue (Breitkopf) and Prout's Canon and Fugue are recommended as text-books.

6. *Instrumentation.*

This course requires knowledge of harmony and counterpoint.

The work of this course consists of: 1. Lectures on the characteristics and tone quality of the various orchestral instruments. 2. Analyses and descriptions of the most important (vocal and orchestral) works of Handel, Bach, Haydn, Gluck, Mozart, Beethoven, Schubert, Schumann, Mendelssohn, Von Weber, Berlioz, Liszt, Wagner, Brahms, and other modern composers. 3. Exercises in orchestration, with various combinations of instruments, strings, wind, and brass. For this purpose chorals, national airs, and short selections from the works of various masters will be used.

The services of professional musicians will be employed in the class room to exhibit the tone quality, compass, and technical peculiarities of the string and wind instruments of the modern orchestra. Original compositions scored by members of the course will be played in rehearsal by the orchestra of the New England Conservatory, so that students may hear the effects of their orchestration.

The following text-books are used: Prout's The Orchestra, 2 volumes; Berlioz's Instrumentation (Ditson Company). The following authors will also be referred to: Gevaert, Instrumentation and Orchestration (Paris); Marx, Kompositions-Lehre, Volume IV (Leipsic); Lobe, Lehrbuch der Musikalischen Komposition, Volume II (Leipsic); Jadassohn's Instrumentation.

7. *Free composition.*

This course is intended primarily for those students who are specializing in music, and can only be taken with the consent of the instructor.

It will consist of the analysis and composition of chamber and orchestral music. As some knowledge of orchestration is required, it must be preceded by, or taken in conjunction with, music 6. Arrangements have been made whereby successful compositions may be performed.

AUXILIARY SUBJECTS.

Students of music are strongly advised to strengthen their work in music by pursuing some of the courses in German, French, and Italian—on account of the important musical literature in these languages—in the history of the fine arts, and in acoustics.

DEGREES: THE DEGREE OF BACHELOR OF ARTS WITH DISTINCTION.

The degree of bachelor of arts with distinction will be awarded in two grades, cum laude and magna cum laude. The requirements in music will be as follows:

1. Eight approved courses, five of which shall be in music (including music 1, 2, 5, and 6), and three in modern languages—German, French, or Italian. Those who show that they have acquired outside the college course a thorough knowledge of harmony will not be required to take music 1. The same rule applies to music 2. Students who intend to become candidates should confer with their instructor at the opening of the sophomore year.

2. One or more special original compositions in large form must be presented to the committee before May 10 of the senior year.

HONORS.

Honors of two grades—honors and highest honors—are given at graduation for great proficiency in a department. Honors in music are given on the following terms:

1. The candidate must have taken all the courses and have passed all the examinations with distinction.

2. He must present original compositions in strict and free form.

The ability to read French and German is required of candidates for honors in music.

CURRICULUM NO. 4.

There are two general courses in the school of music, viz, (1) the collegiate course and (2) the academic course.

I. *The collegiate course.*—In this course the requirements for admission are the same as for the general courses in the college of letters and science, or for adult special students, together with such proficiency in some department of music as is stated in connection with the outlined courses of study. A graduate's diploma will be granted on the completion of this course. Four years of study are required, including the courses in musical theory, harmony (one year), and history of music, or their equivalents.

II. *The academic course.*—This course is open to persons not members of the university, and also to university students who do not desire to enter the collegiate course pursuant to graduation. Students of this course may, however, be admitted to the musical classes of the university, but will not be considered candidates for graduation or for a diploma. If, however, at any time, such students should be transferred to the collegiate course, they will, on satisfying other conditions, receive credit for studies previously taken. A certificate of excellence will be granted to worthy students of this course on examination, after not less than three years of study.

I. COLLEGIATE COURSE.

PIANO.

The courses in piano and singing have been arranged to cover a period of four years.

Applicants for admission will be expected to play music of the grade of Mozart's Sonata in D major No. 3, Peters edition; Loeschhorn, Op. 52 and Op. 66; Bach, Little Preludes.

First year.—Heller, Op. 46 and 45; Czerny, Studies in Velocity; Jensen, Op. 32; Bach, Inventions and English Suites.

Second year.—Bach, Well-Tempered Clavichord; Kullak, Octave School, Books I and II; Cramer, Studies; Czerny, Fingerfertigkeit; Marmontel, Mécanisme.

Third year.—Tausig, Studies; Kullak, Book III; Gradus ad Parnassum, first half; Czerny, Toccato; Chopin, Preludes.

Fourth year.—Moscheles, Op. 70; Gradus ad Parnassum, second half; Chopin, Etudes.

It is not supposed that a rigid course can be given which will meet the requirements of individual students, but the foregoing outline represents, in a general way, the character of each year's work. Etudes especially are named, because they indicate grade and character of requirements more clearly than can be done otherwise. On the other hand, these studies are supplemented by ample selections from classic and modern authors for use in the parlor or concert room.

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Upon graduation students will be expected to play acceptably from memory selections of the grade of Chromatic Fantasie and Fugue by Bach, Sonata Op. 90 by Beethoven, Concerto in G minor (one movement) by Mendelssohn, La Fileuse by Raff, and Second Rhapsody by Liszt.

ORGAN.

No previous knowledge of organ playing is required. The student must be well grounded in piano playing, be possessed of a correct technique, and be able to read plain four-part music.

The course of study is continuous, beginning with Stainer's Organ School or Whiting's First Six Months on the Organ, and following with the larger works of Rink and Best, supplemented by special studies by Thayer, Buck, Ritter, Schneider, Volckmar, and others. Selections from Bach's organ works, Mendelssohn's sonatas, and the compositions of modern composers are used.

Careful training is given in playing church music and voluntaries, the use of stops, and the mechanism of the instrument.

VOICE.

The student must be able to read plain music and must have had an amount of training equal to the first half of Concone's Fifty Lessons, and comprising the usual technical study for the same period.

First year.—Tone placing, breathing, and phrasing; ballad singing and the sostenuto style; technical and other studies of the grade of Bonoldi's Six Vocalises, Sieber's Vocalises; Marchesi's Exercises, Op. 21, Book I.

Second year.—Concone's Fifteen Vocalises; Schubert's Manual of Vocal Technique; Marchesi's Vocalises, Op. 21, Book II; German and French songs, and easy oratorio and operatic arias, and recitatives.

Third year.—Schubert's Special Studies; Bordogni's Bravura Studies, and operatic and oratorio selections.

Fourth year.—Studies in bravura by Lamperti and Bordogni; cadenzas and larger forms of execution.

On graduation the student will be expected to sing acceptably selections (according to voice and school) from such songs and arias as He Was Despised, Angels Ever Bright and Fair, I Know That My Redeemer Liveth, and Thou Shalt Break Them, by Handel; With Verdure Clad, Rolling in Foaming Billows, and In Native Worth, by Haydn; If With All Your Hearts, It is Enough, and O Rest in the Lord, by Mendelssohn; Infelice, by Verdi; Roberto, tu che Adoro, by Meyerbeer; Una Voce and Pro Peccatis, by Rossini.

VIOLIN.

First year.—Hermann, Scale Studies; Kayser, Violin Instructor, I and II; Herbert Ries, Violin School, Part I; easy melodious solos.

Second year.—Kayser, Violin Instructor, III; Kayser, Etudes, Op. 29; Schubert, Violin School, IV; Herbert Ries, Violin School, Part III; solos by Viotti, Rode, De Beriot.

Third year.—Schradieck, Violin Technic; De Beriot, School, Part II; Etudes by Dont, Kreutzer, and Schubert.

Solos by De Beriot, Leonard, Vieuxtemps, and Wieniawski.

THEORETICAL STUDIES.

MUSICAL THEORY AND CHORAL PRACTICE.

A one-year course, twice a week, in the general theory of music, including notation, scale construction, intervals, distinctions of rhythm, etc., combined with a practical study of sight reading and choral singing.

This course is especially recommended to all students, whether of instrumental or vocal music, as furnishing a substantial foundation for all other work; it will also be found useful for those who contemplate teaching in public or similar schools.

HARMONY AND COUNTERPOINT.[a]

The student must be able to read and play simple four-part music.

First year.—Review of scales, and intervals, triads, seventh chords, augmented sixth chords, modulation, synopsis of suspension and appoggiatura.

Second year.—Detailed treatment of modulation, suspension, appoggiatura, etc.; harmonizing melodies; simple strict counterpoint.

Third year.—Double counterpoint, canon, and fugue.

HISTORY OF MUSIC.

A course of lectures twice a week, extending through the year. In the first semester the lectures give a general survey of music before the Christian era and down to the eighteenth century.

The second semester is devoted to the eighteenth and nineteenth centuries.

MUSICAL COMPOSITION.

A year course, twice a week. One year of harmony is required as preparation.

II. ACADEMIC COURSE.

There are no requirements for entrance. Students are received and graded according to ability and amount of previous study. This course in all departments leads up to and overlaps the collegiate course. Students after reaching the proper stage of preparation may be transferred to the collegiate course, or may remain in the academic course, the work of the last three years being identical in both courses. But no certificate of excellence will be issued to any student who is not thoroughly fitted to enter the third year of the collegiate course.

CURRICULUM NO. 5.

Curriculum No. 5 is offered by a college for young women which maintains a well-equipped school of music in connection with its collegiate department. Credit is given in music toward the A. B. degree for work in practical music. Students are advanced from one course to the next higher only after examination before the full music faculty. It will be noted that in the course leading to the degree of associate in music subjects in the collegiate department are correlated with the music courses. These subjects must be passed by examination in the collegiate department.

ENTRANCE REQUIREMENTS.

For unconditioned admission to the freshman class in the course leading to the degree of associate in music (A. Mus.) the applicant must offer the entrance requirements in music, and seven units of preparatory work, as follows: English (3), mathematics (3), and history (1).

For conditioned admission to the freshman class in the courses leading to the associate in music degree, students must offer five units in the literary subjects outlined above. Every condition, however, must be removed by the end of the junior year.

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[a] The courses in counterpoint, etc., and in musical composition are inserted here under their proper headings, because they are frequently taken as electives, but they represent graduate work for the students of the school of music.

Entrance requirements in music apply only to those registering for the degree of associate in music. The preparatory course in piano, voice, violin, and organ, needed in order to enter the freshman class in the associate in music course, is described in course 1, and this preparation can be given at the college to such students as have not had it before coming.

CURRICULUM FOR THE DEGREE OF ASSOCIATE IN MUSIC.

FRESHMAN YEAR.

	Hours.
Mathematics	3
English	3
Piano or organ or violin or voice	6
Theory	1
Harmony	1
Ear training	1
Total	15

SOPHOMORE YEAR.

	Hours.
English	3
Physics	3
Piano or organ or violin or voice	6
Theory	1
Harmony	1
Ear training	1
Total	15

JUNIOR YEAR.

French or German	3
Piano or organ or violin or voice	8
History of music	1
Theory	1
Harmony	1
Theme	1
Total	15

SENIOR YEAR.

French or German	3
Piano or organ or violin or voice	8
Counterpoint	1
History of music	1
Ensemble	1
Theme	1
Total	15

COURSES OF STUDY.

Courses are offered in pianoforte, violin, organ, and voice, leading to the degree of associate in music (A. Mus.) and a purely theoretical course is offered to candidates for the degree of bachelor of music.

Candidates for the degree of associate in music must take—

(*a*) Courses 1, 2, 3, 4, 6, 7 in theory,

(*b*) Courses in academic department, and

(*c*) One of the following: Courses 1, 2, 3, 4, 5, 6 in pianoforte, or violin; 1, 2, 3, 4, 5 in solo singing; 1, 2, 3 in organ.

Candidates for the bachelor of arts degree may be given credit for six hours of music provided they complete courses 1 and 2 in theory and one of the following in practical music: Courses 1, 2, 3 in pianoforte; 1, 2, 3 in solo singing; 1, 2, 3 in violin; or 1, 2 in organ.

PIANOFORTE.

Course 1.[a]—Technical studies: Easy Etudes, Faelten and Porter. Kinder Übungen, Book 1, Kohler. Czerny, Op. 599, Books 1 and 2, Kohler, Op. 190. Kohler,157. Czerny, Op. 139. Duvernoy, Op. 176. Burgmuller, Op. 100. Loeschhorn, Op. 65, Books 1, 2, and 3. Loeschhorn, Op. 38, Book 1. Kohler, Op. 50. Le Couppey, Op. 26. Bertini, Op. 100. Sonatinas by Clementi, Diabelli, Merkel, Lichner, Handrock, Kuhlau. Pieces at discretion of teacher.

Course 2.—Technical studies: Kohler, Op. 242. Czerny, Op. 299, Books 1 and 2. Czerny, Op. 279. Berens, Op. 61, Books 1 and 2. Heller, Op. 46 and 47. Krause, Op. 2 and 6. Octave studies by Vogt, Wilson G. Smith, Czerny, and Turner. Bach's Little Preludes and Fugues. Sonatinas, Easy Sonatas and Variations of Haydn, Beethoven, and others. Schumann Album, Op. 68. Lyrical pieces, Op. 12, Grieg. Selections from Reinecke, Gade, and others. Mendelssohn's Songs without Words.

[a] This course is preparatory to entrance into the course for the associate in music degree.

Course 3.—Technical studies: Czerny, Op. 299, Books 3 and 4. Berens, Op. 61, Books 3 and 4. Heller, Op. 45 and 46. Duvernoy, Op. 120. Octave studies continued. Bach Inventions (2 parts). Haberbier, Op. 53. Lebert and Stark, Part II. Sonatas by Haydn, Mozart, Beethoven, and others. Mendelssohn's Songs Without Words. Field's Nocturnes. Selections from other composers.

Course 4.—Technical studies: Cramer, Lebert, and Stark, Part III. Czerny, Op. 740 and 40 Daily Studies. Gradus ad Parnassum. Kullak Octave Studies. Bach Inventions (three-part). Sonatas. Selections from Chopin, Mendelssohn, Grieg, Raff, and others.

Course 5.—Continuation of studies of course 4. Moscheles, Op. 70. Mendelssohn, Preludes and Studies. Bach, 48 Preludes and Fugues. Kessler Studies. Chopin, Etudes. Sonatas and selections from different composers.

Course 6.—Interpretation: This course is devoted to the perfecting of work done in previous courses and the preparation of a public recital which is required for graduation.

A postgraduate course is also offered, in which the higher and more difficult works of the great masters are studied.

SOLO SINGING.

Course 1.—Rules for Breathing and their Practical Application; Formation of Tone; Tecla Vigna Studies; Exercises by Concone, Book I and II, Op. 9 and 10; Sieber, Op. 92–97; Simple English Songs.

Course 2.—Tecla Vigna Studies; Slow Trill Portamento, etc.; Exercises, Concone, Book III and IV; Panofka Book I, II; Lutgen Daily Exercise; Songs of Medium Difficulty from English and German composers.

Course 3.—Difficult exercises in vocalization, musical embellishments; exercises, Panofka, Book III, IV; Nava, Aprile, Vaccai; song studies from the English, German, Italian, and French schools.

Course 4.—Finishing studies by Paer, Marchesi, Righini; studies of oratorio and standard opera.

Course 5.—Interpretation: This course is devoted to the acquirement of repertoire and the preparation of a public recital which is required before graduation.

All pupils who are prepared to do so are required to attend regularly the choral society rehearsals and to take part in occasional public performances.

VIOLIN.

Course 1.—Elementary exercises. Scales in first position. Bowing exercises. Studies: Ch. de Bériot, Violin School, Part I. Tours Elementary Violin School. Kayser, Op. 20, Book I. Sevcik, Method for Beginners, Op. 6.

Course 2.—Finger and bowing exercises. Scales. Kayser, Op. 20, Books II and III. Dont, Op. 37, Wohlfahrt. Hans Sitt, one hundred studies, Book I. Solos: Dancla, Airs Variés. Duets by Dancla, Mazas, etc.

Course 3.—Bowing exercises. Scales. Studies: Dont, Mazas, Casorti, Sevcik, Sitt. Solos: Alard, Dancla, de Beriot. Duets: Dancla, Pleyel.

Course 4.—Scales (three octaves). Arpeggios. Thirds. Sevcik, Violin School. Kreutzer Etudes. Fiorillo Etudes. Solos: de Beriot, Airs Variés. Concertos by Viotti, Rode. Sonatas by Handel, Mozart, and Haydn.

Course 5.—Scales (three octaves, in thirds and octaves) Arpeggios. Sevcik Violin School. Fiorillo Etudes. Rode Caprices. Solos: Svendsen, Wieniawski, Beethoven, Alard, Ries, etc. Concertos: Rode, de Beriot, Mozart, Kreutzer. Sonatas: Tartini, Mozart, Nardini, etc.

Course 6.—Scales in thirds, octaves and tenths. Arpeggios in the higher positions. Rode Caprices continued. Kreutzer Etudes continued. Campagnoli, seven divertissements. Solos: Wieniawski, Saint-Saens, Lalo, Vieuxtemps, Sarasate, Hubay, Brahms, and others. Concertos: de Beriot, Bach, Spohr, Bruch, Mendelssohn. Sonatas: Bach, Beethoven, etc.

ORGAN.

Thorough and systematic courses are given, no student being allowed to graduate until she is a thoroughly competent organist. The history and construction of the organ is taught.

For entrance to the associate in music courses in the organ department, students must have completed courses 1, 2, 3 in pianoforte, passing the examination therein.

The following courses outline the work required for graduates and include the Italian, French, German, English, and American schools of composition:

Course 1.—Schneider Pedal Studies, Bach, First Preludes and Fugues (Book VIII of Peters Edition), Mendelssohn Sonatas, Easier Concert and Church Compositions by Cappocci, Mailly, Gounod, Guilmant, Du Bois, Faure, Lemaigre, Salome, Merkel, Rheinberger, Kroeger, Foote, Hammerel, Fink, Carl, and Smith.

Course 2.—Bach, Concert Preludes and Fugues, Guilmant and Widor Sonatas, Rheinberger Sonatas, and the more advanced works of the composers named in Course 1.

Course 3.—Advanced technical work and the preparation of concert repertoire.

In addition to the courses outlined above, special attention is given to accompanying, hymn playing, and the performance of all forms of church and concert music. A public recital is required before graduation.

THEORY AND HISTORY.

Course 1.—Music as a language; analogy between music and language; notation of pitch, duration, force, timbre or color; the scales; tempo, rhythms; accents; physical basis of music; vibration of strings; overtones; tempered scale; pitch; classification of vibrations.

Course 2.—The orchestra and its instruments; the string section; the wood wind; the brass; instruments of percussion; the orchestral score; musical groups; embellishments; musical form; figures and their treatment; thematic development; precursors of the sonata; the sonata; other sonata forms; symphony; contrapuntal forms; monophony, homophony, polyphony.

Courses 1 and 2 aim to give a knowledge of the structure of music and develop an appreciation of its content.

Course 3.—The scale, elements of melody; exercises in melody writing; intervals; harmonic structure; tonality; principal triads of the scale; distribution of parts; four-part harmony; connection of principal triads in four-part harmony; close and dispersed harmony; inversion of triads; chord of dominant seventh; chord of ninth and inversions; harmonizing melodies.

Course 4.—Continuation of work of course 3; minor and diminished seventh on leading tone; diminished triad; secondary triads; modulation; passing notes; suspensions; chromatically altered chords. The aim of courses 3 and 4 is to give thorough understanding of the grammatical structure of music and to enable students to harmonize themes with facility.

Course 5.—Counterpoint: The study of contrapuntal forms; contrapuntal treatment of voice parts; practical work at keyboard and written exercises.

Course 6.—Music of antique races; first Christian centuries—Hucbald, Guido, Franco, etc.; minnesingers, meistersingers, etc.; epoch of the Netherlands; Palestrina and the Roman schools; Orlando di Lasso and the Northern Italian masters; the Renaissance and rise of opera and oratorio; the German chorale; English madrigal writers; instruments and instrumental music in sixteenth and beginning of seventeenth centuries.

Course 7.—Bach and Handel, Haydn, Mozart, and Beethoven; the romantic composers; dramatic music in Italy, France, and Germany; Wagner and his music dramas; composers of last twenty-five years.

FOR DEGREE OF BACHELOR OF MUSIC.

Evidence must be produced of—

(*a*) Having received a good general education.

(*b*) Having employed at least four years in the study and practice of music.

The candidate will be required to pass three examinations, separated by intervals of not less than one year.

The first examination will consist of harmony in not more than four parts. The second examination will be in harmony and counterpoint in not more than five parts, canon and fugue in not more than four parts. Before entering for the third examination, the candidate must compose an exercise containing five-part harmony and fugue (in at least four parts), and canon, with an accompaniment for organ, piano, or string band, sufficiently long to require twenty minutes in performance, and this exercise must be approved by the faculty in music.

The third (final) examination will consist of harmony, counterpoint, canon, fugue (in five parts), with double counterpoint, history of music, form in composition, instrumentation, figured bass reading at sight, and the analysis of the full score of some selected work.

ENTRANCE REQUIREMENTS.

The following entrance requirements, announced by a leading college for women, which grants credit, under restrictions, in both practical and theoretical music at entrance and toward a degree, illustrate the demands made by colleges which view music as a proper subject for inclusion in the general educational scheme.

ELEMENTARY REQUIREMENT.

The elementary in music may be either, A, harmony, or B, a combination of a less advanced requirement in theory, with a practical study—piano, voice, violin, or other orchestral instrument.

A. *Harmony.*—The examination will be adapted to the proficiency of those who have had one year's systematic training, with at least three lessons a week or its equivalent. The candidate should have acquired—

(1) The ability to harmonize, in four vocal parts, simple melodies of not fewer than eight measures, in soprano or in bass. These melodies will require a knowledge of triads and inversions, of diatonic seventh chords and inversions, in the major and minor modes; and of modulation, transient or complete, to nearly related keys.

(2) Analytical knowledge of ninth chords, all nonharmonic tones, and altered chords (including augmented chords). [Students are encouraged to apply this knowledge in their harmonization.]

It is urgently recommended that systematic ear training (as to interval, melody, and chord) be a part of the preparation for this examination. Simple exercises in harmonization at the pianoforte are recommended. The student will be expected to have a full knowledge of the rudiments of music, scales, intervals, and staff notation, including the terms and expression marks in common use.

B. The following requirement in theory combined with piano, voice, violin, or other orchestral instrument:

The examination in theory will be adapted to the proficiency of those who have had one year's systematic training, with at least one lesson a week or its equivalent. The candidate should have acquired:

(1) A knowledge of the rudiments of music, scales, intervals, and staff notation, including the terms and expression marks in common use; (2) the ability to analyze the harmony and form of hymn tunes and simplest pieces for the pianoforte, involving triads and the dominant seventh chord and their inversions, passing tones, and modu-

lation to nearly related keys; (3) the ability to harmonize, on paper, in four vocal parts, melodic fragments involving the use of triads and the dominant seventh chord and their inversions, in major keys.

After 1906 the candidate must also meet the following requirements in ear training. To name, as played by the examiner, intervals involving tones of the major scale, the three principal triads and the dominant seventh chord in fundamental position, and the authentic, plagal, and deceptive [v (or v^7) to vi] cadences; to write a diatonic, major melody of not more than four measures in simple time, involving half, quarter, eighth, and dotted notes (the melody to be played, in its entirety, three times by the examiner).

1. *Piano.*—A practical knowledge of various kinds of touch; the ability to play scales, major and minor, in simple and canon forms, in sixteenth notes (at metronome speed, ♪=100), and three-toned and four-toned arpeggios in sixteenth notes (at metronome speed ♪=75), the ability to play, with due regard to the tempo, fingering, phrasing, and expression, the studies by Hasert, Op. 50, Book 1; Haydn's Sonata in E minor (Peter's Edition, No. 2; Schirmer Edition, No. 2), the Theme and Variations from Mozart's Sonata in A major (Peter's Edition, No. 12; Schirmer Edition, No. 9), Mendelssohn's Songs without Words, Nos. 19 and 49, and Schumann's Romance in F sharp major (Op. 28, No. 2); the ability to play at sight chorales and such pieces as the first twelve numbers of Schumann's Jugend-Album (Op. 68). [A candidate may offer equivalents for the studies and pieces mentioned, on the approval of the department.]

2. *Voice.*—The ability to sing, with due regard to intonation, tone quality, expression, and enunciation, the vocalises of Concone, Op. 9, and not fewer than six of the following songs (preferably in the English version): Schubert, Who is Sylvia? and Hark, Hark, the Lark; Mendelssohn, Morgengruss; Schumann, An den Sonnenschein; Brahms, Der Sandmann; Franz, Widmung; Grieg, Das alte Lied; Chopin, Mädchens Wunsch; Massenet, Ouvre tes beaux yeux; Paine, Matin Song; the ability to play pianoforte accompaniments of the grade of Concone, Op. 9; the ability to sing at sight music of the grade of hymn tunes by Barnby, Dykes, and Stainer, and of the studies in Abt's Vocal Tutor, Part III. The student must also give evidence of having an accurate ear and of having laid a good foundation in the development of the voice. [A candidate may offer equivalents for the songs mentioned, on the approval of the department.]

3. *Violin.*—The ability to play, with due regard to bowing, fingering, tone, intonation, and expression, such studies as those by Dont (Op. 37), Mazas (Op. 36), and Kreutzer, and such pieces as the moderately difficult solos of Spohr, Wieniawski, Godard, and Ries; the ability to read at sight such music as the second violin parts of the string quartets of Haydn and Mozart.

4. Students wishing to be examined in the playing of other instruments should correspond with the music department.

NOTE.—Students considering submitting music for entrance to college are advised to correspond with the department, stating in detail what their preparation has been in theory and especially in the practical subjects. In the latter students must give evidence of thorough foundation work in the technique of the piano, voice, violin, or other instrument, in addition to being able merely to play or sing the actual requirement mentioned.

Certificates will not be accepted in music.

CORRELATION OF MUSIC AND NONMUSIC COURSES.

In the correlation of music and nonmusic courses, colleges and universities lead. The attitude assumed by independent schools of music appears to be similar to that taken by schools of technology

in general education; they take the position that they are professional training schools, and naturally concentrate their efforts on turning out composers, pianists, singers, theorists, and pedagogues. They do not consider nonmusical subjects to be an essential part of their curricula. Yet in the best of these schools there is shown a recognition of the value of broader culture and an inclination to include such subjects as will increase the efficiency of their graduates. The New England Conservatory of Music has recently established a reciprocal relation with Harvard University, through which students in the conservatory can attend courses in English, French, and German literature, English composition, fine arts, physics (especially acoustics), and public speaking. In college and university music departments gratifying progress has been made in the correlation of courses with those of other departments, demanding, in a very considerable number of institutions, a greater or less amount of collegiate work as a part of the graduate course in music. Reciprocally, music as an elective is receiving credit as a subject in baccalaureate courses.

MANNER OF PROMOTING STUDENTS FROM GRADE TO GRADE.

The manner of grading students and of determining their advancement from one grade to the next is significant as indicating to what extent system and accuracy in determining the standing of music students are attained. This has been a decided obstacle in the way of the admission of music to courses leading to the baccalaureate degree. Perhaps no single disclosure by the investigation is more encouraging than this. While the advancement of students still rests in many cases with the instructor, or with the instructor and director of the department jointly, the development of a system of accurate grade marks, based on examination and recitation, gives promise of the eventual setting up of such standards as will result in the unifying of educational effort.

The following tables give the per cent of schools giving examinations in theoretical and practical music; of schools giving written, oral, and actual performance tests; of schools recording by marks the grade or quality of a student's work; and of schools in which the instructor or faculty determines passing grade:

Per cent of institutions giving examinations yearly or oftener.

Class of institutions.	In theoretical subjects.	In practical music.	Written.	Oral.	Performance test.
Independent schools of music	71	65½	66⅔	50	55¼
Colleges and universities	75	66⅔	50	25	20
Colleges for women	100	70	70	33⅓	50
Normal schools	82	70	76⅔	66⅔	56⅔
Secondary schools	80	20	66⅔	50	50

Per cent of institutions having a system of marks for recording grades and determining passing grade.

Class of institutions.	Recorded in all subjects.	Passing grade determined by—	
		Instructor.	Faculty.
Independent schools of music	58	27	73
Colleges and universities	80	60	24
Colleges for women	70	50	50
Normal schools	76⅔	77	23
Secondary schools	80	50	50

These figures are based on 207 replies to the second questionnaire. From the per cent of schools giving actual performance tests, it would appear that the opinion that a sufficiently accurate and systematic grading of work in practical music can not be done is losing ground, and encouragement is given the belief that there may develop a system of grading in practical music which will satisfy educators and remove one of the great obstacles to the admission of applied music to general educational courses.

EDUCATIONAL QUALIFICATIONS OF MUSIC STUDENTS.

There appears to be a growing purpose upon the part of departments of music in colleges and universities to demand a certain amount of general educational qualification from those who wish to enter graduate courses in music. In this connection, the following table gives the per cent of music students in 595 institutions who have completed a high school course of at least three years:

Class of institutions.	Per cent.
Independent schools of music	43
Colleges and universities	56
Colleges for women	57½
Normal schools	56⅘
Secondary schools	22¾

The time devoted to the study of music (not including preparation) is shown in the following table, which gives the per cent of students devoting less than five hours, more than five hours but less than ten, and more than ten hours per week to recitation.

Class of institutions.	Less than 5 hours.	More than 5 but less than 10 hours.	More than 10 hours.
	Per cent.	*Per cent.*	*Per cent.*
Independent schools of music	66⅔	22⅔	11⅓
Colleges and universities	52	+32	+14
Colleges for women	61 7/13	32 4/13	6 2/13
Normal schools	65	+24	+ 9
Secondary schools	66⅔	25	+ 7

PROPERTY DEVOTED TO MUSICAL INSTRUCTION.

The questions relating to finances were not answered by 348 of the 595 schools returning statistics, hence the statements of amount of

property devoted to musical purposes and of yearly expenditures for music instruction are far from complete. They are significant, nevertheless, and if increased in proper proportion by a full statement would show a very large investment in music education. It should be remembered also that these figures refer only to organized schools, the immense sums expended on private instruction being unknown.

Libraries and museums.—In all, 39,538 volumes, valued at $62,120, are reported by the 595 institutions. In several instances private libraries are reported as at the service of students. No museums are reported.

Property devoted to musical instruction.

Class of institutions.	Value of buildings and grounds.		Value of instruments, apparatus, and furniture.		Permanent endowment.		Volumes in library.		Value of library.		Expense for rent.	
	Schools reporting.	Amount.	Schools reporting.	Amount.	Schools reporting.	Amount.	Schools reporting.	Number.	Schools reporting.	Amount.	Schools reporting.	Amount.
Independent schools of music	10	$578,110	29	$159,700	4	$827,000	21	23,188	18	$22,925	26	$53,346
Colleges and universities	31	1,281,600	64	319,902	1	46,000	35	18,164	33	19,222	19	13,243
Colleges for women	9	243,000	23	163,609	2	17,500	15	16,088	13	13,225	3	1,840
Normal schools												
Secondary schools	8	153,750	51	208,865	1	100,000	22	3,348	20	3,523	4	9,675
Total	58	2,256,460	167	852,076	8	990,500	93	60,788	84	58,895	52	78,104

Annual receipts from instruction in music.

Class of institutions.	Interest and rents.		Public appropriation.		Private gifts.		Concerts.		Other sources.		Students' fees.		Total.
	Schools reporting.	Amount.	Schools reporting.	Amount.	Schools reporting.	Amount.	Schools reporting.	Amount.	Schools reporting.	Amount.	Schools reporting.	Amount.	
Independent schools of music	6	$47,053	....	.....	3	$5,578	9	$8,375	5	$7,000	28	$529,563	$597,569
Colleges and universities	8	18,825	4	$5,890	1	200	30	19,426	10	14,972	82	440,380	499,693
Colleges for women	3	1,450	....	.....	3	4,550	7	2,410	1	140	28	185,456	194,006
Normal schools													
Secondary schools	6	1,979	4	10,050	2	176	8	1,322	4	1,448	53	111,848	126,823
Total	23	69,307	8	15,940	9	10,504	54	31,533	20	23,560	191	1,267,247	1,418,091

III.—STATISTICAL TABLES.

Statistics of the institutions replying to the first questionnaire are given in the tables which follow. Tables 1, 2, 3, 4, and 5 summarize Tables 6, 7, 8, 9, and 10, which give in detail the number of schools, instructors, and students, and the number of graduates and of students receiving certificates during the last five years. The geographical distribution of the institutions is also shown.

TABLE 1.—*Summary of the statistics of independent schools of music, showing the number of instructors, students, and graduates, and number of students receiving certificates.*

	Schools reporting.	Instructors.			Students enrolled.			Graduates in last 5 years.	Students not graduates receiving certificates in last 5 years.
		Male.	Female.	Total.	Male.	Female.	Total.		
United States	61	306	271	607	2,527	10,850	17,122	1,962	1,971
North Atlantic Division	28	133	115	248	1,218	3,911	6,329	662	1,033
South Atlantic Division	1	20	28	48	.....	.....	1,200	.....	.....
South Central Division	4	8	14	22	49	362	409	30	20
North Central Division	27	145	114	289	1,230	6,297	8,874	1,270	918
Western Division	1	.....	.....	.....	30	280	310	.....	.....
North Atlantic Division:									
Maine	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Hampshire	.....	.....	.....	.....	.....	.....	.....	.....	.....
Vermont	.....	.....	.....	.....	.....	.....	.....	.....	.....
Massachusetts	2	11	6	17	243	822	1,065	42	20
Rhode Island	.....	.....	.....	.....	.....	.....	.....	.....	.....
Connecticut	1	2	5	7	18	109	127	.....	.....
New York	16	90	59	149	564	1,294	2,558	414	644
New Jersey	1	5	.....	5	20	60	80	.....	.....
Pennsylvania	8	25	45	70	373	1,626	2,499	206	369
South Atlantic Division:									
Delaware	.....	.....	.....	.....	.....	.....	.....	.....	.....
Maryland	1	20	28	48	.....	.....	1,200	.....	.....
District of Columbia	.....	.....	.....	.....	.....	.....	.....	.....	.....
Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....
West Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....
North Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....
Georgia	.....	.....	.....	.....	.....	.....	.....	.....	.....
Florida	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Central Division:									
Kentucky	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tennessee	2	2	2	4	15	55	68	9	.....
Alabama	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mississippi	.....	.....	.....	.....	.....	.....	.....	.....	.....
Louisiana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Texas	2	6	12	18	34	307	341	21	20
Arkansas	.....	.....	.....	.....	.....	.....	.....	.....	.....
Oklahoma	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indian Territory	.....	.....	.....	.....	.....	.....	.....	.....	.....
North Central Division:									
Ohio	6	38	12	50	216	1,382	1,598	199	32
Indiana	1	.....	.....	30	.....	.....	.....	90	30
Illinois	11	61	52	113	484	2,786	4,617	688	472
Michigan	3	16	24	40	203	1,302	1,505	106	69
Wisconsin	1	11	8	19	200	400	600	80	305
Minnesota	1	9	9	18	10	250	260	102	.....
Iowa	.....	.....	.....	.....	.....	.....	.....	.....	.....
Missouri	2	6	6	12	95	93	188	.....	.....
North Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nebraska	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kansas	1	4	3	7	22	84	106	5	10
Western Division:									
Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming	.....	.....	.....	.....	.....	.....	.....	.....	.....
Colorado	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Mexico	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arizona	.....	.....	.....	.....	.....	.....	.....	.....	.....
Utah	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	.....
Idaho	.....	.....	.....	.....	.....	.....	.....	.....	.....
Washington	.....	.....	.....	.....	.....	.....	.....	.....	.....
Oregon	.....	.....	.....	.....	.....	.....	.....	.....	.....
California	1	.....	.....	.....	30	280	310	.....	.....

TABLE 2.—*Summary of the statistics of music departments of universities and colleges, showing the number of instructors, students, and graduates in music, and number of students receiving certificates in music.*

	Institutions reporting.	Instructors in music.			Students enrolled in departments of music.			Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
		Male.	Female.	Total.	Male.	Female.	Total.		
United States	151	336	344	680	5,257	12,788	18,971	1,652	633
North Atlantic Division	23	88	34	122	1,253	2,063	3,316	353	45
South Atlantic Division	15	15	25	40	356	496	912	73	6
South Central Division	16	21	50	71	144	987	1,584	137	29
North Central Division	78	173	192	365	3,005	7,866	11,284	969	538
Western Division	19	39	43	82	499	1,376	1,875	120	15
North Atlantic Division:									
Maine									
New Hampshire	2	4		4	88		88		
Vermont									
Massachusetts	4	9		9	300	90	390		
Rhode Island									
Connecticut	1	10		10	34	58	92	40	33
New York	6	27	8	35	536	938	1,474	51	6
New Jersey									
Pennsylvania	10	38	26	64	295	977	1,272	262	6
South Atlantic Division:									
Delaware									
Maryland	2	2	1	3	23	10	33	2	
District of Columbia									
Virginia	3	2	7	9	114	44	218	13	0
West Virginia	1	1	1	2	6	43	49	24	1
North Carolina	5	8	5	13	174	165	339	14	1
South Carolina	1		2	2	6	32	38	3	
Georgia	1		2	2	2	39	41	0	4
Florida	2	2	7	9	31	163	194	17	
South Central Division:									
Kentucky	1		5	5	3	90	93		4
Tennessee	4	3	10	13	58	267	325	23	13
Alabama									
Mississippi									
Louisiana	1	2		2	42		42		
Texas	4	9	14	23	16	271	697	15	12
Arkansas	4	3	14	17	16	331	390	54	
Oklahoma	1	2	5	7				45	
Indian Territory	1	2	2	4	9	28	37		
North Central Division:									
Ohio	14	25	28	53	271	1,363	1,634	245	26
Indiana	7	12	14	26	343	389	732	40	1
Illinois	13	42	43	85	596	1,442	2,451	250	416
Michigan	4	7	11	18	47	248	295	32	7
Wisconsin	5	13	18	31	111	507	618	78	
Minnesota	3	4	3	7	43	170	213	12	
Iowa	9	20	19	39	313	1,007	1,320	82	1
Missouri	8	11	14	25	208	439	647	47	6
North Dakota									
South Dakota	3	6	3	9	70	230	300	25	16
Nebraska	5	18	20	38	245	992	1,237	100	46
Kansas	7	15	19	34	758	1,079	1,837	58	19
Western Division:									
Montana	2	3	3	6	26	62	88	8	
Wyoming									
Colorado	2	2	3	5	6	109	115		
New Mexico	1		2	2	17	42	59	6	
Arizona									
Utah	1	4	1	5	138	187	325		
Nevada	1		1	1		20	20	57	
Idaho	1	3	2	5	9	59	68	4	
Washington	3	9	12	21	90	406	496	11	6
Oregon	4	8	10	18	78	243	321	9	4
California	4	10	9	19	135	248	383	25	5

TABLE 3.—*Summary of statistics of music departments in colleges for women, showing the number of instructors, students, and graduates in music, and number of students receiving certificates in music.*

	Institutions reporting.	Instructors in music.			Students enrolled in departments of music.			Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
		Male.	Female.	Total.	Male.	Female.	Total.		
United States	57	86	208	294	210	7,562	7,772	491	323
North Atlantic Division	9	20	24	44	84	1,547	1,631	74	1
South Atlantic Division	18	25	72	97	29	2,077	2,106	121	227
South Central Division	16	13	57	70	49	1,833	1,882	91	12
North Central Division	13	21	52	73	48	1,325	1,373	205	83
Western Division	1	7	3	10	.....	780	780	.....	.....
North Atlantic Division:									
Maine	1	1	3	4	80	141	221	11	.....
New Hampshire	.....	.....	.....	.....	.....	.....	.....	.....	.....
Vermont	.....	.....	.....	.....	.....	.....	.....	.....	.....
Massachusetts	4	14	12	26	.....	572	572	4	1
Rhode Island	.....	.....	.....	.....	.....	.....	.....	.....	.....
Connecticut	.....	.....	.....	.....	.....	.....	.....	.....	.....
New York	2	4	3	7	.....	677	677	30	.....
New Jersey	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	2	1	6	7	4	157	161	29	.....
South Atlantic Division:									
Delaware	.....	.....	.....	.....	.....	.....	.....	.....	.....
Maryland	3	6	8	14	3	255	258	17	.....
District of Columbia	1	.....	1	1	.....	14	14	.....	.....
Virginia	5	6	20	26	13	633	646	41	127
West Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....
North Carolina	3	5	13	18	9	499	508	21	14
South Carolina	3	5	14	19	4	318	322	13	5
Georgia	3	3	16	19	.....	358	358	29	81
Florida	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Central Division:									
Kentucky	4	3	10	13	24	275	299	18	.....
Tennessee	3	5	11	16	20	358	378	13	.....
Alabama	2	2	13	15	0	375	375	28	10
Mississippi	1	1	9	10	5	470	475	.....	.....
Louisiana	3	0	5	5	.....	95	95	5	.....
Texas	2	2	6	8	.....	195	195	15	.....
Arkansas	1	.....	3	3	0	65	65	12	2
Oklahoma	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indian Territory	.....	.....	.....	.....	.....	.....	.....	.....	.....
North Central Division:									
Ohio	3	6	12	18	7	257	264	26	0
Indiana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Illinois	3	5	9	14	23	274	297	20	1
Michigan	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wisconsin	.....	.....	.....	.....	.....	.....	.....	.....	.....
Minnesota	.....	.....	.....	.....	.....	.....	.....	.....	.....
Iowa	.....	.....	.....	.....	.....	.....	.....	.....	.....
Missouri	7	10	31	41	18	794	812	159	82
North Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nebraska	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kansas	.....	.....	.....	.....	.....	.....	.....	.....	.....
Western Division:									
Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming	.....	.....	.....	.....	.....	.....	.....	.....	.....
Colorado	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Mexico	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arizona	.....	.....	.....	.....	.....	.....	.....	.....	.....
Utah	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	.....
Idaho	.....	.....	.....	.....	.....	.....	.....	.....	.....
Washington	.....	.....	.....	.....	.....	.....	.....	.....	.....
Oregon	.....	.....	.....	.....	.....	.....	.....	.....	.....
California	1	7	3	10	.....	780	780	.....	.....

TABLE 4.—*Summary of the statistics of the music departments of normal schools, showing the number of instructors, students, and graduates in music, and number receiving certificates in music.*

	Schools reporting.	Instructors in music.			Students enrolled in departments of music.			Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
		Male.	Female.	Total.	Male.	Female.	Total.		
United States	98	87	138	225	3,215	12,385	18,994	653	86
North Atlantic Division	28	21	39	60	342	3,878	6,860	249	25
South Atlantic Division	15	6	28	34	507	1,848	2,355	12	15
South Central Division	12	8	22	30	388	1,143	1,531	18	.....
North Central Division	38	49	41	90	1,701	4,967	7,422	336	46
Western Division	5	3	8	11	277	549	826	38	.....
North Atlantic Division:									
Maine	2	1	2	3	66	260	326	.....	.....
New Hampshire	1	1	.....	1	1	102	103	.....	.....
Vermont	1	1	1	2	2	68	70	.....	.....
Massachusetts	4	2	3	5	10	245	255	.....	.....
Rhode Island	1	1	.....	1	.....	60	60	.....	.....
Connecticut	2	1	2	3	2	258	260	.....	25
New York	9	5	15	20	116	2,253	5,009	199	.....
New Jersey	1	1	.....	1	.....	100	100	.....	.....
Pennsylvania	7	8	16	24	145	532	677	50	.....
South Atlantic Division:									
Delaware	.....	.....	.....	.....	.....	.....	.....	.....	.....
Maryland	.....	.....	.....	.....	.....	.....	.....	.....	.....
District of Columbia	.....	.....	.....	.....	.....	.....	.....	.....	.....
Virginia	2	1	3	4	465	890	1,355	.....	.....
West Virginia	2	.....	2	2	7	47	54	.....	.....
North Carolina	4	2	6	8	4	413	417	.....	.....
South Carolina	3	1	10	11	6	260	266	.....	.....
Georgia	4	2	7	9	25	238	263	12	15
Florida	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Central Division:									
Kentucky	1	1	1	2	3	13	16	.....	.....
Tennessee	1	1	.....	1	36	126	162	.....	.....
Alabama	4	1	7	8	74	203	277	1	.....
Mississippi	.....	.....	.....	.....	.....	.....	.....	.....	.....
Louisiana	2	.....	7	7	.....	188	188	.....	.....
Texas	1	.....	1	1	164	371	535	.....	.....
Arkansas	.....	.....	.....	.....	.....	.....	.....	.....	.....
Oklahoma	3	5	6	11	111	242	353	17	.....
Indian Territory	.....	.....	.....	.....	.....	.....	.....	.....	.....
North Central Division:									
Ohio	6	5	7	12	62	598	660	79	.....
Indiana	4	10	6	16	325	880	1,205	18	0
Illinois	5	5	2	7	195	623	1,148	.....	.....
Michigan	2	7	5	12	26	234	260	119	.....
Wisconsin	6	3	4	7	203	594	1,221	.....	.....
Minnesota	3	4	2	6	52	257	309	26	.....
Iowa	1	1	1	2	12	35	47	.....	16
Missouri	6	7	8	15	743	1,269	2,012	74	30
North Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Dakota	1	.....	1	1	2	57	59	.....	.....
Nebraska	2	4	1	5	45	245	290	.....	.....
Kansas	2	3	4	7	36	175	211	20	.....
Western Division:									
Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming	.....	.....	.....	.....	.....	.....	.....	.....	.....
Colorado	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Mexico	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arizona	1	3	3	6	13	43	56	38	.....
Utah	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	.....
Idaho	1	.....	1	1	15	93	108	.....	.....
Washington	2	.....	3	3	229	273	502	.....	.....
Oregon	.....	.....	.....	.....	.....	.....	.....	.....	.....
California	1	.....	1	1	20	140	160	.....	.....

TABLE 5.—*Summary of the statistics of the music departments of secondary schools, showing the number of instructors, students, and graduates in music, and number of students receiving certificates in music.*

	Schools reporting.	Instructors in music.			Students enrolled in departments of music.			Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
		Male.	Female.	Total.	Male.	Female.	Total.		
United States	228	230	470	700	3,597	10,903	14,500	634	636
North Atlantic Division	87	102	182	284	1,658	4,473	6,131	193	187
South Atlantic Division	34	32	69	101	274	1,769	2,043	108	78
South Central Division	35	23	49	72	329	1,370	1,699	89	45
North Central Division	61	61	136	197	1,207	2,771	3,978	218	177
Western Division	11	12	34	46	129	520	649	26	149
North Atlantic Division:									
Maine	4	5	4	9	65	85	150	4	39
New Hampshire	8	5	10	15	132	405	537	5	.....
Vermont	2	1	2	3	17	58	75	11	.....
Massachusetts	17	29	38	67	270	787	1,057	40	.....
Rhode Island	2	3	1	4	25	19	44	.....	.....
Connecticut	8	5	20	25	13	92	105	37	.....
New York	23	27	54	81	341	1,357	1,698	45	91
New Jersey	8	7	22	29	80	461	541	9	20
Pennsylvania	15	20	31	51	715	1,209	1,924	42	37
South Atlantic Division:									
Delaware	.....	.....	.....	.....	.....	.....	.....	.....	.....
Maryland	4	3	2	5	64	234	298	25	.....
District of Columbia	5	12	11	23	.....	243	243	9	3
Virginia	9	3	18	21	54	330	384	9	32
West Virginia	5	5	13	18	78	448	526	34	10
North Carolina	3	5	11	16	47	223	270	2	33
South Carolina	1	.....	2	2	3	30	33	3	.....
Georgia	4	3	6	9	3	115	118	20	.....
Florida	3	1	6	7	25	146	171	6	.....
South Central Division:									
Kentucky	8	.....	10	10	19	299	318	3	.....
Tennessee	4	1	3	4	15	133	148	.....	.....
Alabama	5	4	12	16	45	289	334	20	10
Mississippi	3	.....	4	4	4	67	71	2	.....
Louisiana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Texas	6	11	8	19	162	242	404	31	13
Arkansas	5	3	5	8	42	126	168	32	18
Oklahoma	2	3	5	8	25	167	192	0	4
Indian Territory	2	1	2	3	17	47	64	1	.....
North Central Division:									
Ohio	8	15	17	32	190	377	567	22	14
Indiana	2	1	2	3	5	31	36	2	.....
Illinois	12	8	32	40	55	468	523	23	2
Michigan	4	.....	17	17	20	405	425	33	.....
Wisconsin	10	15	12	27	268	288	556	28	.....
Minnesota	2	3	7	10	53	82	135	.....	.....
Iowa	6	3	18	21	69	351	420	34	12
Missouri	10	12	16	28	128	348	476	45	.....
North Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....
South Dakota	2	1	3	4	136	88	224	.....	.....
Nebraska	2	.....	5	5	28	71	99	8	131
Kansas	3	3	7	10	255	262	517	23	18
Western Division:									
Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming	.....	.....	.....	.....	.....	.....	.....	.....	.....
Colorado	1	2	1	3	17	18	35	.....	.....
New Mexico	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arizona	.....	.....	.....	.....	.....	.....	.....	.....	.....
Utah	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	.....
Idaho	.....	.....	.....	.....	.....	.....	.....	.....	.....
Washington	2	3	2	5	59	54	113	.....	.....
Oregon	1	1	5	6	.....	72	72	.....	.....
California	7	6	26	32	53	376	429	26	149

TABLE 6.—*Statistics of independent schools of music.*

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in last 5 years.	Students not graduates receiving certificates in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
CALIFORNIA.																		
San Jose	King Conservatory of Music.	T. Loui King	Yes.	....	....	....	30	280	310	No limit	.....	.....	.....	.....	....	.....	.....	.....
CONNECTICUT.																		
Hartford	School of Music	Willis E. Bacheller	Yes.	2	5	7	18	109	127	17 weeks	.....	50	.....	.....	....	.....	.....	.....
ILLINOIS.																		
Chicago	American Conservatory of Music.	John J. Hattstaedt	Yes.	....	....	....	140	1,760	1,900	10 weeks	.....	90	.....	.....	230	430	.....	.....
Chicago (523 S. Western avenue).	Chicago Conservatory of Fine Arts.	C. Frederick Kellogg	Yes.	2	2	4	33	10	43	3 months	.....	100	.....	.....	22	.....	.....	.....
Chicago (Clark street)	Bush Temple Conservatory.	Kenneth M. Bradley	Yes.	8	3	11	100	550	650	10 weeks	50	.....	.....	.....	....	.....	.....	.....
Chicago (Kimball Hall).	Hinshaw Conservatory	Dr. W. W. Hinshaw	No .	4	6	10	100	250	350	.....do	60	.....	.....	.....	....	.....	.....	.....
Chicago (243 Wabash avenue).	Leffingwell Violin School	W. W. Leffingwell	No .	9	1	10	....	.....	.....	.....do	50	.....	.....	.....	3	4	50	.....
Chicago (243 Wabash avenue).	Joseph Vilm American Violin School.	Joseph Vilm	Yes.	6	2	8	40	20	60	5 weeks	.....	100	.....	.....	5	38	25	$10
Chicago (203 Michigan boulevard).	Walter Spry Piano School	Walter Spry	No .	4	1	5	5	85	90	10 weeks	20	50	50	.....	....	.....	.....	.....
Chicago	Chicago Conservatory	Walton Perkins	Yes.	17	8	25	(?)	(?)	647	1 term	60	100	.....	.....	408	.....	.....	.....
Chicago (Kimball Hall).	Chicago Piano School	Charles E. Watt	No.	5	22	27	(?)	(?)	700	10 weeks	.....	75	.....	.....	....	.....	.....	.....
Chicago (Lake View).	G. Guttenberger's Violin School.	G. Guttenberger	No.	1	1	2	20	10	30	.....	.....	100	.....	.....	....	.....	.....	.....
Chicago	Prof. Oscar Tunk's School of Music.	Oscar Tunk	No.	3	1	4	21	51	72	10 weeks	6	.....	.....	.....	20	.....	.....	.....
Zion City	Zion City Conservatory of Music and Art.	Hyland E. Wilson	No.	2	5	7	25	50	75	.....do	10	97	.....	.....	....	.....	.....	.....

TABLE 6.—*Statistics of independent schools of music*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in last 5 years.	Students not graduates receiving certificates in last 5 years	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
INDIANA.																		
Indianapolis	Indianapolis Conservatory of Music.	Edgar M. Cawley		....	30	....	....	.....	.....	10 weeks	50	100	.....	.....	90	30	.....	.....
KANSAS.																		
Wichita	Fairmount Conservatory of Music.	Frank A. Power	Yes.	4	3	7	22	84	106	10 weeks	60	80	20	.....	5	10	.....	.....
MARYLAND.																		
Baltimore	Peabody Institute Conservatory of Music.	Harold Randolph	Yes.	20	28	48	....	.....	1,200	4 months	.....	.....	.....	.....	.....	.....	.....	.....
MASSACHUSETTS.																		
Boston	Faelten Pianoforte School	Carl Faelten	No.	6	4	10	193	747	940	10 lessons	.....	95	5	.....	42	20	.....	.....
Worcester	Worcester County Music School.	Edward L. Sumner	No.	5	2	7	50	75	125	1 term	.....	.....	.....	.....	.....	.....	.....	.....
MICHIGAN.																		
Ann Arbor	St. Thomas Conservatory of Music.	Sister M. Angela	No.	....	2	2	78	72	150	1 quarter	10	.....	.....	.....	.....	.....	.....	.....
Detroit	Detroit Conservatory of Music.	Francis L. York	Yes.	....	....	....	50	805	855	5 weeks	15	80	15	5	57	31	.....	.....
Do	Michigan Conservatory of Music.	Frederic L. Abel	Yes.	16	22	38	75	425	500	10 weeks	60	100	.....	.....	49	38	.....	.....
MINNESOTA.																		
Minneapolis	The Johnson School of Music.	Gustavus Johnson	No.	9	9	18	10	250	260	10 weeks	.....	100	.....	.....	102	.....	.....	.....
MISSOURI.																		
Concordia	Kircheis Music School	O. A. Kircheis	No.	1	....	1	55	8	63	.....	100	.....	.....	.....	.....	.....	.....	.....
St. Louis	Becker Bros. Conservatory of Music.	Lucien E. Becker	No.	5	6	11	40	85	125	1 term	60	.....	.....	.....	.....	.....	.....	.....
NEW JERSEY.																		
Jersey City	Hasbrouck School of Music.	Gustav L. Becker	Yes.	5	....	5	20	60	80	10 weeks	50	100	.....	.....	.....	.....	.....	.....

NEW YORK.																		
Brooklyn (98 Green avenue).	A. Arnold's Music Studio	August Arnold	No.	1	1	2	10	40	50		100					14		
Brooklyn (533 Franklin avenue).	Brooklyn Conservatory of Music.	Adolf Whitelaw	No.	6	4	10	68	146	214	10 weeks					354	630	2,000	$5,000
Brooklyn (542 State street).	Grand Italian Conservatory of Music.	Rafael E. De Stefani	No.	4	3	7	10	35	45	do	100							
Brooklyn (108 Montague street).	The Master School of Music.	Madame Aurelia Jaegn.	Yes.	4	6	10		29	29	1 session	100		100					
Brooklyn (115 Miller avenue).	Louis H. Stagg's Studio of Music.	Louis H. Stagg	No.	1		1	15	35	50									
Cortland	Cortland Conservatory of Music.	Alton E. Darby	Yes.	4	5	9	177	488	665	20 weeks								
Lockport	Frank F. Shearer's School of Music.	Frank F. Shearer	No.	2	2	4	26	71	97									
New York (53 Fifth avenue).	Institute of Musical Art of the City of New York.	Frank Damrosch	Yes.	36	20	56			700		50	60				2	1,500	
New York (34 W. Twelfth street).	Guilmant Organ School	William C. Carl	No.	6	1	7	17	24	41	1 year								
New York (40 W. One hundred and fifteenth street).	Manhattan College of Music.	Leon M. Kramer	No.	11	1	12	35	80	115	10 lessons							200	500
New York (2 W. One hundred and twenty-first street).	Marks Conservatory of Music.	Eugene F. Marks	No.	3	2	5	37	73	110	5 weeks	90	100					100	150
New York (128 W. Twenty-third street).	The Carlton Conservatory of Music.	John H. Carlton	No.	5	5	10	100	100	200	2 lessons	25	100						
New York (Broadway and Eightieth street).	Virgil School of Music	Almon K. Virgil	No.	3	2	5	37	69	106	No limit		100					100	500
New York	Wirtz Piano School	Mr. and Mrs. Conrad Wirtz.	No.	1	5	6				10 weeks		100						
Peekskill	Peekskill Conservatory of Music.	Henry T. Fleck	No.	1	2	3	15	80	95	do		20		80				
Do	The Institute Conservatory	Charles Unterreiner	No.	2		2	17	24	41	do	25	100			20		250	500
OHIO.																		
Cincinnati	College of Music of Cincinnati.	A. J. Gantvoort	Yes.	9		9	40	570	610	10 weeks	80	60	40		118			3,000
Cleveland	The Wolfram College of Music.	Johannes Wolfram	No.	7	1	8	15	150	165	Term	10	100			8			
Do	The Cleveland School of Music.	Alfred Arthur	Yes.	5	3	8	30	170	200	10 weeks		100			5		3,500	
Columbus	The Capitol College of Oratory and Music.	Thomas R. Davis	Yes.	5	3	8	28	54	82	3 months	50	25	70	5	15		1,000	500
Toledo	The Toledo Conservatory of Music.	Bradford Mills	Yes.	4	4	8	50	356	406	10 weeks	20	100			8		5,600	3,000
Warren	Dana's Musical Institute	William H. Dana	Yes.	8	1	9	53	82	135	do	40		20	80	45	32		

TABLE 6.—*Statistics of independent schools of music*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Percent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in last 5 years.	Students not graduates receiving certificates in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
PENNSYLVANIA.																		
Philadelphia (1329-1331 S. Broad street).	Combs Conservatory of Music.	Gilbert R. Combs	No.	....	....	....	200	862	1,062	20 weeks	20	60	10	30	155	320	3,000	$2,500
Philadelphia (1511 Girard avenue).	Pennsylvania College of Music.	Kate H. Chandler	Yes.	7	5	12	23	92	115	do	8	50	50	0	25	49	2,000	5,000
Philadelphia (1524 Chestnut street).	The Hahn Violin School	Frederick E. Hahn	No.	5	4	9	65	32	97	do	.....	90	.....	.....	.....	.....	.....	.....
Philadelphia (10 S. Eighteenth street).	The Sternberg School of Music.	Constantine Von Sternberg.	Yes.	5	16	21	....	.....	500	do	100	.....	.....	.....	.....	.....	.....	.....
Pittsburg	Pittsburgh Conservatory of Music.	Beveridge Webster	No.	3	7	10	25	250	275	do	80	100	.....	.....	16	.....	300	600
Do	Von Kunits School of Music.	Luigi Maria Von Kunits.	No.	4	6	10	35	175	210	5 weeks	.....	.....	.....	.....	.....	.....	5,000	.....
Scranton	J. T. Watkins Vocal Studio.	John T. Watkins	.....	1	....	1	25	75	100	20 lessons	.....	100	.....	.....	.....	.....	.....	.....
West Chester	Villa Maria (Musical Department).	Sister M. Dolores	.....	....	7	7	....	140	140	.....	.....	.....	.....	.....	10	.....	.....	.....
TENNESSEE.																		
Centerville	Mrs. Forrest Nixon's School of Music.	Mrs. Forrest Nixon	No.	....	1	1	3	31	34	1 month	5	.....	.....	.....	.....	.....	.....	.....
Chattanooga	Chattanooga School of Music.	R. L. Teichfuss	No.	2	1	3	10	24	34	10 weeks	.....	.....	.....	.....	9	.....	156	650
TEXAS.																		
Dallas	Landon Conservatory of Music.	Chas. W. Landon	Yes.	3	7	10	15	220	235	5 weeks	20	75	20	5	21	.....	300	600
Waco	Waco Conservatory of Music.	W. B. Schimmelpfennig.	No.	3	5	8	19	87	106	1 month	.....	90	10	.....	.....	20	50	75
WISCONSIN.																		
Milwaukee	Wisconsin Conservatory of Music.	John H. Frank	Yes.	11	8	19	200	400	600	10 weeks	8	100	.....	.....	80	305	82	350

TABLE 7.—*Statistics of departments of music in colleges and universities.*

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Percent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
ARKANSAS.																		
Arkadelphia	Ouachita Conservatory of Fine Arts.	William L. Thickstum.	Yes.	2	7	9	8	190	198	1 term	0	100			46			
Clarksville	Arkansas Cumberland College.	Mrs. Jewelle H. Crenshaw.	Yes.		2	2			43	1 month	0	0						
Fayetteville	University of Arkansas	Miss Hazel Yates		1	4	5	2	85	87	22 weeks					8			
Little Rock	Philander Smith College	Miss Mildred Bryant	Yes.		1	1	6	56	62	1 month	18							
CALIFORNIA.																		
East Oakland	California College	Madam Otto Blankhart.		1	3	4	4	6	10		50							
Los Angeles	Occidental School of Music	Dwight C. Rice	No.	3	1	4	14	87	101	1 month	20	100			10			
Do	University of So. California	Walter F. Skeele	No.	3	5	8	26	155	181	1 lesson		95	0	0	15	5		
Oakland	St. Mary's College	Prof. Schorcht	Yes.	3		3	91		91	5 months	50	50					150	$200
COLORADO.																		
Boulder	University of Colorado	George M. Chadwick		1		1	3	49	52	18 weeks	100							
Colorado Springs	Colorado College	Edward D. Hale		1	3	4	3	60	63	6 months	90	100					63	50
CONNECTICUT.																		
New Haven	Yale University	Horatio Parker		10		10	34	58	92	1 term	95	94	6		40	33	500	
FLORIDA.																		
De Lane	John B. Stetson University	Orwin A. Morse		2	4	6	23	92	115	6 weeks	40	90	10		11			
Winter Park	Rollins College	Gertrude M. Leeper			3	3	8	71	79						6			

TABLE 7.—*Statistics of departments of music in colleges and universities*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
GEORGIA.																		
Wrightsville	Warthen College	Miss Willie C. Davis	Yes.	....	2	2	2	39	41	1 term	16	50	25	25	0	4	.....	.....
IDAHO.																		
Moscow	University of Idaho	Isaac J. Cogswell	.....	3	2	5	9	59	68	1 semester	60	90	.....	.....	4	.....	21	$37
ILLINOIS.																		
Abingdon	Hedding College	Mrs. Eudora M. Esterbrook.	Yes.	....	5	5	....	.....	100	12 weeks	60	40	.....	.....	25	.....	.....	.....
Alton	Shurtleff College	William D. Armstrong.	.....	2	2	4	12	48	60	13 weeks	50	100	.....	.....	38	.....	.....	.....
Chicago	St. Ignatius College	Rev. Henry J. Dumbach.	.....	2	....	2	148	.....	148	1 quarter	30	100	0	0	0	.....	.....	.....
Decatur	James Millikin University	Hermann H. Haeuper	.....	6	2	8	40	226	266	9 weeks	80	75	20	5	.....	17	50	175
Evanston	Northwestern University	P. C. Lutkin	.....	16	9	25	143	304	447	.....do	60	77	23	.....	28	82	.....	.....
Galesburg	Knox College	William F. Bentley	.....	3	6	9	47	307	354	1 lesson	.....	.....	50	25	44	301	.....	.....
Do	Lombard College	Grant Hadley	No.	1	1	2	10	13	23	1 term	90	.....	$\frac{1}{4}$	$\frac{4}{3}$	9	7	.....	.....
Greenville	Greenville College	Miss Emily G. Kay	.....	....	2	2	17	51	68	10 weeks	25	100	.....	.....	41	.....	.....	.....
Lake Forest	Ferry Hall	Miss Carrie Ripley	Yes.	3	3	6	....	99	99	.....	50	100	.....	.....	3	.....	.....	.....
Monmouth	Monmouth College	T. Merrill Austin	.....	3	4	7	74	210	284	.....	.....	50	50	.....	31	.....	.....	.....
Naperville	Northwestern College	Grace A. Austen	Yes.	1	4	5	60	75	135	12 weeks	80	0	20	80	22	.....	.....	.....
Rock Island	Augustana College	Emil Larson	Yes.	3	4	7	45	109	154	1 term	50	100	.....	.....	9	9	.....	.....
Urbana	University of Illinois	Frederick L. Lawrence.	.....	2	1	3	....	.....	313	.....	45	50	30	20	.....	.....	.....	.....
INDIANA.																		
Collegeville	St. Joseph's College	Benjamin Zollner	Yes.	4	....	4	30	.....	30	No limit	10	5	25	70	.....	.....	.....	.....
Franklin	Franklin College	Mrs. Minnie Bruner	.....	....	2	2	9	54	63	10 weeks	.....	100	.....	.....	8	.....	70	125
Green Castle	De Pauw University	Belle A. Mansfield, A. M.	Yes.	1	7	8	150	250	400	1 term	50	.....	.....	.....	22	.....	.....	.....

Hanover	Hanover College	Miss Emma Heuse	No.		2	2	14	45	59	3 months	75	100						
Moores Hill	Moores Hill College	Mrs. E. Louise Williams.	Yes.	1	3	4	10	40	50	12 weeks	25	100			10	1	30	75
Notre Dame	University of Notre Dame	Bro. Gerard, C.S.C.	No.	3		3	75		75	5 months		100						
St. Meinrad	St. Meinrad College	Rev. Vincent Wagner.	No.	3		3	55		55	1 year		8	92					
INDIAN TERRITORY.																		
Muskogee	Henry Kendall College	Miss Lucretia C. Miller		2	2	4	9	28	37	No limit		100						
IOWA.																		
Charles City	Charles City College	Miss Grace Raymond	Yes.	1	2	3	25	100	125	12 weeks	25	100			4	1		
Dubuque	St. Joseph's College	Rev. A. S. Peikert	Yes.	4	2	6	35	170	205	1 year	50	75						
Fairfield	Parsons College	James P. Moorhead		2	2	4	4	113	117	1 term	90							
Fayette	Upper Iowa University	Mrs. Ellen Poor	Yes.	2	3	5	35	115	150	11 weeks	33	65	30	5	17			100
Grinnell	Iowa College	Dudley L. Smith		2	1	3	28	77	105	3 months	76	83	17		6		3,000	1,500
Hopkinton	Lenox College	Miss Anne A. Young	Yes.		1	1	9	16	25	Any time		90						
Indianola	Simpson College	F. E. Barrows	Yes.	7	2	9	107	226	333	No limit		50	25	25	13			3,000
Sioux City	Morningside College	Judson W. Mather	Yes.	1	4	5	30	110	140	10 weeks	30	50	25	25	27			
Storm Lake	Buena Vista College	E. Theo. Manning	Yes.	1	2	3	40	80	120	No limit		75	25		15			
KANSAS.																		
Baldwin	Baker University	R. G. McCutchan	No.	2	2	4	20	160	180	No limit	75							
Emporia	College of Emporia	Mrs. Robert L. Jones.	No.	2	4	6	52	99	151	17 weeks		50	50		10	7		
Holton	Campbell College	Oscar M. Schoebel	Yes.	2	1	3	10	108	118	10 weeks	75				30			
Lawrence	Kansas State University	Charles S. Skilton		4	7	11	18	150	168	9 weeks	60	50	45	5	18		500	400
Manhattan	Kansas State Agricultural College.	Prof. Olof Valley	Yes.	2	2	4	523	502	1,025	3 months	20							
St. Marys	St. Mary's College	Joseph A. Rielog, S.J.	No.	3		3	120		120	5 months	40	90	10				100	100
Wichita	Friends University	Miss Leona Wright	No.		3	3	15	60	75							12		
KENTUCKY.																		
Glasgow	Liberty College	Mrs. Geo. J. Burnett	No.		5	5	3	90	93	1 quarter	50	100				4		
LOUISIANA.																		
Convent	Jefferson College	Prof. J. L. Staiert	Yes.	2		2	42		42	5 months	7	100						
MARYLAND.																		
Ellicott City	Rock Hill College	Brother Julius	Yes.	2		2	20		20			100						
New Windsor	New Windsor College	Carolyne H. Parkhurst.	Yes.		1	1	3	10	13						2			
MASSACHUSETTS.																		
Amherst	Amherst College	William P. Bigelow	No.	1		1	70		70	17 weeks	100							
Boston	Boston University	John P. Marshall	No.	2		2	4	55	59	1 term	100	100						
Cambridge	Harvard University	Walter R. Spalding, A. M.	Yes.	4		4	210		210	1 year	100							
Tufts College	Tufts College	Leo Rich Lewis	No.	2		2	16	35	51	do	100	90	10				3,000	2,500

TABLE 7.—*Statistics of departments of music in colleges and universities*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
MICHIGAN.																		
Agricultural College	Michigan Agricultural College	Miss Louise Freyhofer			2	2	7	88	95	3 months	100	100						
Hillsdale	Hillsdale College	Melville W. Chase		2		2	25	80	105	No limit		90	10		14			
Holland	Hope College	John B. Nykerk		3	3	6												
Olivet	Olivet College	Elizabeth Bintliff, A. M.	Yes.	2	6	8	15	80	95	9 weeks	70	48	20	33	18	7	6,848	$4,000
MINNESOTA.																		
Northfield	Carleton College	William L. Gray		1	2	3	6	62	68	9 weeks	85	77	23				125	275
Minneapolis	University of Minnesota		No.	2		2	6	26	32	5 months	100	100			1			
Winnebago	Parker College	Prof. J. M. Pearson	Yes.	1	1	2	31	82	113	No limit	22	100			11		50	60
MISSOURI.																		
Clarksburg	Clarksburg College	Charles Hall	Yes.	1		1	1	19	20	5 months		100					60	150
Columbia	University of Missouri	Fritz Kroull		1		1	14	23	37	9 weeks	100	100						
Glasgow	Pritchett College	Miss M. Elizabeth Watkins.	Yes.		2	2	12	25	37	4 months	60				6			
Liberty	William Jewell College	R. P. Rider	Yes.	3		3	45		45	No limit	33	100						
Marshall	Missouri Valley College	Edgar S. Place	Yes.	1	1	2	65	92	157	12 weeks	10	100			7			
Springfield	Drury College	William C. Chalfant	No.	2	3	5	30	102	132	10 weeks	25	90	10		6			
Tarkio	Tarkio College	Frank L. Eyer	Yes.	2	3	5	20	117	137	No limit		100			6			
Warrenton	Central Wesleyan College	Zeno Nagel	Yes.	1	5	6	21	61	82	10 weeks	40	100			22	6		
MONTANA.																		
Bozeman	Montana Agricultural College	F. A. Oliner	No.	2	2	4	20	20	40	18 weeks		100			8			
Missoula	University of Montana	Blanche Whitaker		1	1	2	6	42	48			80	100					

NEBRASKA.																		
College View	Union College	B. Roscoe Shryock	Yes.	2	6	8	51	117	168	12 weeks	50	60	35	5	16	.....	115	230
Crete	Doane College	La Verne H. Brown	No.	2	1	3	14	48	62	10 weeks	50	80	20	0	11	0	30	75
Lincoln	University of Nebraska	Willard Kimball	Yes.	8	7	15	70	490	560	do	50	20	80	.....	33	40	.....	.....
Do	Nebraska Wesleyan University.	Vernon Spencer	No.	5	4	9	60	257	317	9 weeks	0	75	22	3	34	6	.....	.....
York	York College	Princess M. Nelson	No.	1	2	3	50	80	130	No limit	50	100	.....	.....	6	.....	.....	.....
NEVADA.																		
Reno	Nevada State University	Mrs. A. L. Layton	.....	....	1	1	....	20	20	1 year	100	.....	.....	.....	57	.....	.....	.....
NEW HAMPSHIRE.																		
Hanover	Dartmouth College	Charles H. Morse	.....	1	....	1	63	.....	63	1 semester	75	100	.....	.....	.....	.....	200	.....
Manchester	St. Anselm's College	Alexander Reger	Yes.	3	....	3	25	.....	25	.....	.....	.....	.....	.....	.....	.....	.....	.....
NEW MEXICO.																		
Agricultural College	College of Agriculture and Mecahnic Arts.	.....	Yes.	....	2	2	17	42	59	No limit	75	100	.....	.....	6	.....	15	75
NEW YORK.																		
Brooklyn	Adelphi College	William A. Thayer	.....	2	2	4	150	298	448	.....	75	100	.....	.....	.....	.....	.....	.....
Buffalo	Canisius College	Rev. Ludwig Bonvin	Yes.	4	....	4	80	.....	80	.....	35	100	.....	.....	.....	.....	.....	.....
Ithaca	Cornell University	Hollis E. Dann	.....	2	....	2	160	40	200	6 months	100	40	.....	.....	.....	.....	.....	.....
New York	St. John's College	Rev. Edward Gallag, S. J.	.....	5	....	5	56	.....	56	½ term	25	100	.....	.....	.....	.....	.....	.....
Niagara University	Niagara University	Ernest Rieger	Yes.	1	....	1	40	.....	40	6 months	75	.....	100	.....	.....	.....	.....	.....
Syracuse	Syracuse University	George F. Parker	.....	13	6	19	50	600	650	1 term	40	50	50	.....	51	6	.....	.....
NORTH CAROLINA.																		
Belmont	St. Mary's College	Bro. Francis Underwood.	Yes.	5	....	5	65	.....	65	6 months	.....	33	50	.....	.....	.....	.....	.....
Elon College	Elon College	Florence Wilson, N. E. C.	.....	....	3	3	14	66	80	2 months	50	.....	.....	.....	7	1	.....	.....
Greensboro	Agricultural and Mechanical College.	Chas. D. Robinson	Yes.	2	....	2	80	.....	80	.....	.....	100	.....	.....	.....	.....	60	30
Guilford College	Guilford College	Miss Jennie W. Papworth.	Yes.	....	1	1	0	26	26	.....	25	.....	.....	.....	.....	.....	.....	.....
Newton	Catawba College	Samuel S. Lash	Yes.	1	1	2	15	73	88	1 month	50	75	25	.....	7	.....	100	50
OHIO.																		
Akron	Buchtel College	Isabel S. Kennedy	.....	....	1	1	1	19	20	.....	25	80	0	0	.....	.....	.....	.....
Berea	German Wallace College	Abert Riemenschneider.	Yes.	5	4	9	34	93	127	1 term	40	100	.....	.....	8	.....	.....	.....
Cedarville	Cedarville College	Mrs. Jessie Russell	No.	....	1	1	6	31	37	3 months	91	100	.....	.....	10	.....	.....	.....
Delaware	Ohio Wesleyan University	Charles M. Jacobus	No.	4	4	8	40	215	255	1 term	.....	.....	.....	.....	30	.....	.....	.....
Defiance	Defiance College	Mae McReynolds	Yes.	....	3	3	12	39	51	8 weeks	10	40	.....	.....	10	.....	.....	.....
Granville	Denison University	Arthur L. Judson	Yes.	3	4	7	31	107	138	½ semester	50	60	35	5	21	2	350	800

TABLE 7.—*Statistics of departments of music in colleges and universities*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
OHIO—continued.																		
New Concord	Muskingum College	Mrs. Eva H. Hull	Yes.	....	3	3	10	55	65	1 term	.....	.....	.....	.....	6	6	.....	.....
Oberlin	Oberlin College	Charles W. Morrison	.....	.....	.....	.....	61	491	552	3 months	55	.....	.....	.....	36	15	.....	.....
Oxford	Miami University	S. S. Myers	No.	3	....	3	32	86	118	1 year	100	80	20	.....	10	.....	.....	.....
Rio Grande	Rio Grande College	George S. Bohanan	.....	1	....	1	5	15	20	5 weeks	.....	60	40	.....	5	0	.....	.....
Springfield	Wittenberg College	J. Frank Maguire	.....	2	3	5	2	48	50	1 term	50	100	.....	.....	52	.....	.....	.....
Westerville	Otterbein University	Gustav Meyer, Ph. D.	No.	4	1	5	35	145	180	10 weeks	35	100	.....	.....	26	.....	200	$200
Wooster	University of Wooster	J. Lawrence Erb	No.	3	3	6	.....	.....	.....	8 weeks	.....	91	9	.....	16	.....	100	.....
Yellow Springs	Antioch College	Florence M. Williams.	.....	....	1	1	2	19	21	½ term	33	.....	.....	.....	15	3	.....	.....
OKLAHOMA.																		
Norman	State University	Henry D. Guelick	No.	2	5	7	....	.....	.....	.....	.....	50	30	25	45	.....	150	200
OREGON.																		
Albany	Albany College	Carroll H. Palmer	.....	1	1	2	7	70	77	1 lesson	.....	75	.....	.....	.....	.....	.....	.....
Corvallis	Oregon Agricultural College	Gerard Taillandier	No.	4	2	6	36	71	107	No limit	63	97	3	0	2	.....	.....	.....
Eugene	University of Oregon	Irving M. Glen	No.	1	5	6	20	80	100	1 month	50	100	.....	.....	.....	4	30	100
Philomath	Philomath College	Mrs. O. V. White	.....	2	2	4	15	22	37	3 months	.....	100	.....	.....	7	.....	.....	.....
PENNSYLVANIA.																		
Annville	Lebanon Valley College	Herbert Oldham	Yes.	2	3	5	29	108	137	10 weeks	80	20	60	20	42	5	200	250
Beatty	St. Vincent College	P. Louis Haas	Yes.	6	....	6	60	.....	60	6 months	100	.....	.....	.....	.....	.....	.....	.....
Beaver	Beaver College	Chev. G. Ferrata	Yes.	2	1	3	14	127	141	.....do	16	100	.....	.....	19	.....	200	500
Grove City	Grove City College	Dr. H. Poehlmann	.....	2	1	3	15	85	100	12 weeks	10	20	20	.....	37	1	300	450
Lewisburg	Bucknell University	Elyssée Aviragnet	Yes.	2	5	7	24	83	107	.....do	50	100	.....	.....	48	.....	.....	.....
Meadville	Allegheny College	Harry W. Manville	Yes.	6	3	9	75	325	400	5 weeks	75	50	35	15	80	.....	200	.....
New Wilmington	Westminster College	W. W. Campbell	.....	1	1	2	31	57	88	6 months	75	0	50	50	5	.....	100	300
Philadelphia	The Temple College	Oscar W. Streland	Yes.	15	6	21	14	18	32	1 term	.....	.....	.....	.....	.....	.....	125	500
Selinsgrove	Susquehanna University	E. Edwin Sheldon	.....	1	3	4	18	79	97	10 weeks	70	20	.....	75	8	.....	.....	.....
Waynesburg	Waynesburg College	C. W. Best	Yes.	2	3	5	15	95	110	1 term	15	.....	.....	.....	23	.....	.....	.....

SOUTH CAROLINA.																		
Orangeburg	Claflin University	Miss C. Elsie Farnham	Yes.	....	2	2	6	32	38	14 weeks..	50	100	.....	.....	3	.....	.....	.....
SOUTH DAKOTA.																		
Brookings	State College Agriculture and Mechanic Arts.	Henry H. Loudenback	.....	3	1	4	18	82	100	12 weeks..	50	.....	.....	.....	.....	1	.....	.....
Redfield	Redfield College	Herbert M. King	.....	2	....	2	37	60	97	1 lesson...	0	90	10	.....	5	15	.....	.....
Yankton	Yankton College	Lee N. Dailey	Yes.	1	2	3	15	88	103	.....	0	100	.....	.....	20	.....	.....	.....
TENNESSEE.																		
Athens	Grant University	Frances C. Moffitt	Yes.	....	2	2	8	56	64	No limit..	33	100	.....	.....	1	3	22	15
Jackson	Southwestern Baptist University.	Rudolph Richter	No..	2	2	4	10	70	80	5 months .	75	.....	.....	.....	11	10	.....	.....
Nashville	Fisk University	Miss Jennie A. Robinson.	Yes.	....	5	5	36	120	156	1 month..	.....	100	.....	.....	11	.....	.....	.....
Spencer	Burritt College	Mrs. Laura D. Worthington.	.....	1	1	2	4	21	25	5 months .	.....	100	.....	.....	.....	.....	.....	.....
TEXAS.																		
Georgetown	South Western University	Clara A. Oldfield	Yes.	....	6	6	5	134	139	3 months .	80	50	30	20	15	8	.....	.....
Fort Worth	Fort Worth University	Miss Myrtle Hess	No..	1	2	3	6	69	75	.....do....	10	100	.....	.....	.....	.....	.....	.....
Waco	Baylor University	Rudolf Hoffman	No..	6	4	10	.....	.....	410	.....	.....	.....	.....	.....	.....	.....	.....	.....
Waxahachie	Trinity University	Howard E. Goodsell..	Yes.	2	2	4	5	68	73	1 term....	60	100	.....	.....	.....	4	.....	.....
UTAH.																		
Logan	Brigham Young College	William O. Robinson.	Yes.	4	1	5	138	187	325	No limit..	.....	75	25	.....	.....	.....	.....	.....
VIRGINIA.																		
Bridgewater	Bridgewater College	Charles W. Roller	.....	1	5	6	34	44	78	3 months .	50	5	60	25	13	0	.....	.....
Fredericksburg	Fredericksburg College	Prof. F. A. Franklin..	Yes.	1	1	2	.....	.....	60	.....	.....	100	.....	.....	.....	.....	.....	.....
Richmond	Virginia Union University	Mrs. Jessie A. Davis..	Yes.	....	1	1	80	.....	80	1 month..	33	100	.....	.....	.....	.....	.....	.....
WASHINGTON.																		
Pullman	State College of Washington	W. B. Strong, Herbert Kimbrough.	No..	2	4	6	60	180	240	9 weeks...	85	.....	.....	100	3	.....	.....	.....
Tacoma	Whitworth College	Alberta V. Munro	.....	2	5	7	8	97	105	.....	.....	50	50	.....	1	3	.....	.....
Walla Walla	Whitman College	Stephen B. L. Penrose.	No..	5	3	8	22	129	151	18 weeks..	25	90	.....	.....	7	3	200	200
WEST VIRGINIA.																		
Bethany	Bethany College	Jean C. Moos	Yes.	1	1	2	6	43	49	1 term....	75	100	.....	.....	24	1	.....	.....
WISCONSIN.																		
Appleton	Lawrence University	T. Dillwyn Thomas...	No..	2	2	4	8	67	75	6 weeks...	.....	.....	.....	.....	2	.....	.....	.....
Beloit	Beloit College	Abram R. Tyler	No..	2	1	3	30	70	100	3 months .	25	100	.....	.....	.....	.....	400	1,500
Madison	University of Wisconsin	Fletcher A. Parker...	No..	6	7	13	66	244	310	9 weeks...	100	90	8	.....	44	.....	500	1,000
Milwaukee	Milwaukee-Downer College	Emil Liebling	Yes.	2	7	9	0	100	100	18 weeks..	.....	.....	.....	.....	32	.....	.....	.....
Ripon	Ripon College	Theodore F. Meier....	No..	1	1	2	7	26	33	5 weeks...	75	100	.....	.....	.....	.....	.....	.....

TABLE 8.—*Statistics of departments of music in colleges for women.*

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
ALABAMA.																		
Athens	Athens College	Jean B. Grasse	Yes.	1	4	5	....	95	95	.....	25	100	.....	.....	3	3	.....	.....
Marion	Judson College	E. L. Powers	Yes.	1	9	10	0	280	280	18 weeks..	0	85	15	.....	25	7	3,000	$2,000
ARKANSAS.																		
Conway	Central College	Mrs. Lydia Walling	Yes.	....	3	3	....	65	65	No limit..	100	90	10	.....	12	2	3,000	1,500
CALIFORNIA.																		
Mills College	Mills College	Louise Lisser	Yes.	7	3	10	....	780	780	½ year.....	23	100	.....	.....	.....	.....	.....	.....
DISTRICT OF COLUMBIA.																		
Washington	Trinity College	Sister Helen Loyola	Yes.	....	1	1	....	14	14	.....	.....	0	.....	.....	.....	.....	.....	.....
GEORGIA.																		
College Park	Southern Female College	J. Lewis Browne	Yes.	1	6	7	....	110	110	1 month..	90	95	.....	.....	9	18	.....	.....
Greenville	Brenan College	E. A. Just	.....	1	4	5	....	100	100	4 months.	100	.....	.....	.....	.....	.....	.....	.....
La Grange	La Grange Female College	Alwyn M. Smith	Yes.	1	6	7	....	148	148	1 month..	95	75	25	.....	20	63	60	50
ILLINOIS.																		
Jacksonville	Illinois College	Ferdinand Haberkorn	Yes.	4	3	7	22	118	140	No limit..	50	90	10	0	20	1	1,000	2,000
Knoxville	St. Mary's School	Wm. H. Sherwood	Yes.	1	3	4	....	70	70	3 months.	50	100	.....	.....	.....	.....	.....	.....
Rockford	Rockford College	Emily Parsons	.....	....	3	3	1	86	87	1 term....	40	100	.....	.....	.....	.....	.....	.....
KENTUCKY.																		
Danville	Caldwell College	George Edwards	Yes.	2	2	4	4	69	73	1 term....	40	100	.....	.....	.....	.....	.....	.....
Hopkinsville	Bethel Female College	.....	.....	....	2	2	....	45	45	.....do.....	.....	.....	.....	.....	9	.....	.....	.....
Owensboro	Owensboro College	Henry W. Pearson	Yes.	1	3	4	20	90	110	10 weeks..	.....	80	20	.....	7	.....	1,000	2,500
Russellville	Logan Female College	.....	Yes.	....	3	3	0	71	71	½ year.....	.....	.....	.....	.....	2	.....	.....	.....

LOUISIANA.																		
Clinton	Silliman Collegiate Institute	Miss Gertrude Stonebraker.	Yes.	....	1	1	....	16	16	½ year	.....	.....	.....	.....	.....	.....	.....	.....
Keatchie	Louisiana Female College	Miss Mary Ransom	Yes.	....	2	2	....	29	29	18 weeks	25	0	100	0	5	.....	.....	.....
Mansfield	Mansfield Female College	Miss Ruth Sligh	Yes.	....	2	2	....	50	50	.....	30	.....	.....	.....	.....	.....	.....	.....
MAINE.																		
Kents Hill	Maine Wesleyan Seminary and Woman's College.	Wilson Fay Morse	Yes.	1	3	4	80	141	221	3 months	75	50	50	.....	11	.....	103	125
MARYLAND.																		
Frederick	The Woman's College	Maurice G. Beckwith	No.	2	3	5	3	95	98	½ term	.....	88	7	5	17	.....	30	50
Hagerstown	Kee Mar College	J. Emory Shaw	Yes.	2	3	5	....	80	80	1 term	50	70	.....	.....	.....	.....	.....	.....
Lutherville	Maryland College for Women.	A. Oehm	.....	2	2	4	....	80	80	6 months	25	.....	.....	.....	.....	.....	.....	.....
MASSACHUSETTS.																		
Cambridge	Radcliffe College	Walter R. Spalding	Yes.	3	....	3	....	45	45	1 year	100	.....	.....	.....	.....	.....	1,000	2,000
South Hadley	Mount Holyoke College	William C. Hammond	.....	3	3	6	....	112	112	½ year	100	100	.....	.....	.....	.....	.....	.....
Wellesley	Wellesley College	Hamilton C. Macdougall.	Yes.	3	3	6	....	115	115	1 year	100	60	40	.....	.....	.....	400	.....
Northampton	Smith College	Henry Dyke Sleeper	Yes.	5	6	11	....	300	300	.....	100	99	1	.....	4	1	400	.....
MISSISSIPPI.																		
Meridian	Meridian Female College	Anthony Slankowitch	Yes.	1	9	10	5	470	475	1 term	50	.....	33	40	.....	.....	.....	.....
MISSOURI.																		
Columbia	Christian College	J. Emory Shaw	Yes.	2	5	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fayette	Howard Payne College	Miss Nannie L. Wright	Yes.	....	6	6	7	143	150	10 months	33	.....	.....	.....	17	1	.....	.....
Fulton	Synodical College	James M. Weddell	Yes.	1	2	3	3	52	55	½ hour	75	100	.....	.....	15	0	.....	.....
Lexington	Central College for Women	D. F. Conrad	Yes.	1	5	6	6	107	113	5 months	60	100	.....	.....	20	12	.....	.....
Liberty	Liberty Ladies College	Marion F. Dunwody	.....	2	4	6	....	124	124	1 year	70	.....	.....	.....	20	.....	.....	.....
Mexico	Hardin College	Arnold E. Guerue	Yes.	2	4	6	....	200	200	1 semester	25	100	.....	.....	74	61	.....	.....
Nevada	Coltey College	Miss Anna Jansen	Yes.	2	5	7	2	168	170	6 months	75	33	66	.....	13	8	1,500	500
NEW YORK.																		
Brooklyn	Packer Collegiate Institute	R. Huntington Woodman.	Yes.	1	....	1	....	475	475	1 year	17	100	.....	.....	30	.....	.....	.....
Poughkeepsie	Vassar College	George C. Gow	Yes.	3	3	6	....	202	202	1 semester	100	100	.....	.....	.....	.....	900	1,200
NORTH CAROLINA.																		
Charlotte	Elizabeth College	Harry J. Zehm	Yes.	1	4	5	6	72	78	10 weeks	90	10	90	.....	14	2	.....	.....
Greensboro	Greensboro Female College	F. W. Craft	Yes.	2	2	4	1	175	176	18 weeks	.....	100	.....	.....	7	.....	.....	.....
Raleigh	Baptist University	Wade Brown	No.	2	7	9	2	252	254	½ year	50	50	.....	50	.....	12	.....	.....

TABLE 8.—*Statistics of departments of music in colleges for women*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
OHIO.																		
Oxford	Oxford College for Women	Max v. L. Swarthout	Yes.	2	2	4	2	82	84	1 year	50	80	10	10	17	.....	.....	.....
Do	Western College for Women	Alice A. Porter	Yes.	1	8	9	....	89	89	18 weeks	90	85	15	.....	5	0	195	$500
Painesville	Lake Erie College	Harry C. Brooks	Yes.	3	2	5	5	86	91	12 weeks	48	80	20	.....	4	.....	3,000	.....
PENNSYLVANIA.																		
Blairsville	Blairsville College	Helena J. Walter	Yes	....	2	2	4	60	64	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mechanicsburg	Irving College	Harry C. Harper	Yes.	1	4	5	....	97	97	.....	.....	80	.....	.....	29	.....	.....	.....
SOUTH CAROLINA.																		
Columbia	College for Women	George L. Kittridge	Yes.	2	6	8	....	.....	.....	4 months	.....	.....	.....	.....	.....	.....	.....	.....
Gaffney	Limestone College	Harold A. Loring	Yes.	1	3	4	....	104	104	5 months	95	75	25	0	.....	.....	.....	.....
Spartanburg	Converse College	Arthur L. Manchester	Yes.	2	5	7	4	214	218	19 weeks	75	85	15	.....	13	5	500	400
TENNESSEE.																		
Bristol	Sullins College	Louis Alberti	Yes.	4	5	9	20	230	250	2 months	75	60	40	.....	5	.....	.....	400
Murfreesboro	Soule College	Martha A. Hopkins	Yes.	....	3	3	....	60	60	1 year	10	.....	.....	.....	.....	.....	.....	.....
Nashville	Boscobel College	Miss Caroline Jenkins	Yes.	1	3	4	....	68	68	.....	50	100	.....	.....	8	.....	.....	.....
TEXAS.																		
Chappell Hill	Chappell Hill Female College	M. J. Klein	Yes.	1	1	2	....	60	60	.....	.....	100	.....	.....	.....	.....	.....	.....
San Antonio	San Antonio Female College	Miss Frances M. Ross	Yes.	1	5	6	....	135	135	.....	.....	75	.....	.....	15	.....	.....	.....
VIRGINIA.																		
Bristol	Virginia Institute	Samuel T. Schroetter	.....	2	2	4	10	110	120	3 months	10	100	.....	.....	9	100	.....	.....
Charlottesville	Rawlings Institute	Miss Mabel F. Main	Yes.	....	6	6	....	150	150	2 months	30	100	.....	.....	.....	.....	.....	.....
Danville	Roanoke College	Miss Alice Crane	Yes.	1	5	6	....	100	100	No limit	25	50	50	.....	6	6	.....	.....
Hollins	Hollins Institute	Emil B. Michaelis	Yes.	3	4	7	....	173	173	.....	.....	100	.....	.....	23	21	.....	.....
Marion	Marion College	Caroline Manning	Yes.	....	3	3	3	100	103	10 weeks	10	.....	50	.....	3	.....	.....	.....

TABLE 9.—*Statistics of departments of music in normal schools.*

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
				Male.	Female.	Total.	Male.	Female.	Total.							
ALABAMA.																
Falkville	Falkville Normal School	Miss Lucy Hunter	Yes.	1	3	4	.....	10	10	4 months	10	.....	.....	.....	.....	.....
Jacksonville	State Normal School	Exa Hames	Yes.	.....	1	1	70	90	160	3 months	0	75	.....	.....	.....	.....
Mobile	Emerson Normal Institute	Miss Anna B. Lyman	No.	.....	1	1	2	30	32	.....	.....	.....	.....	.....	1	.....
Troy	State Normal College	Mrs. O. Worthy	No.	.....	2	2	2	73	75	.....	0	.....	.....	.....	.....	.....
ARIZONA.																
Flagstaff	Northern Arizona Normal	Elizabeth Gleason	.....	3	3	6	13	43	56	.....	33	0	80	0	38	.....
CALIFORNIA.																
Chico	State Normal School	Miss Lida Lennon	No.	.....	1	1	20	140	160	.....	10	100	.....	.....	.....	.....
CONNECTICUT.																
Danbury	State Normal School	Marion H. Tweedy	No.	.....	.....	.....	2	58	60	1 year	90	100	.....	.....	.....	.....
New Haven	do	William E. Brown	.....	1	2	3	.....	200	200	2 years	100	100	.....	.....	.....	25
GEORGIA.																
Athens	State Normal School	Chas. S. Stanage	Yes.	1	1	2	13	28	41	.....	40	.....	.....	.....	.....	.....
Douglas	Southern Normal Institute	Edward E. Hipsher	Yes.	1	.....	1	10	50	60	10 weeks	10	33	66	.....	1	3
Milledgeville	Georgia Normal and Industrial College	Mrs. P. J. Fortin	.....	.....	5	5	.....	130	130	1 year	.....	50	.....	.....	10	12
Thomasville	Allen Normal and Industrial School	Miss Carrie Michael	.....	.....	1	1	2	30	32	.....	.....	100	.....	.....	1	.....
IDAHO.																
Lewiston	Lewiston State Normal School	Bessie E. Eggeman	Yes.	.....	1	1	15	93	108	20 weeks	60	100	.....	.....	.....	.....

TABLE 9.—*Statistics of departments of music in normal schools*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
				Male.	Female.	Total.	Male.	Female.	Total.							
ILLINOIS.																
Carbondale	Southern Illinois State Normal	Richard V. Black	No.	1	1	2	100	125	225	12 weeks	60	40	.....	.....	.....	.....
Charleston	Eastern Illinois State Normal	Frederick Koch	.....	1	.....	1	.....	.....	330	.....	.....	100	.....	.....	.....	.....
Chicago	Chicago Normal School	Henry W. Fairbank	No.	1	.....	1	20	420	440	2 years	100	25	.....	.....	.....	.....
Hoopeston	Greer College	M. D. Potter	Yes.	1	1	2	15	28	43	No limit	25	90	.....	.....	.....	.....
Rushville	Kennedy's Business and Normal College	J. A. Lantz	No.	1	.....	1	60	50	110	do	25	100	.....	.....	.....	.....
INDIANA.																
Danville	Central Normal College	Fred Luscomb	Yes.	2	1	3	100	150	250	No limit	0	.....	25	10	18	0
Muncie	Indiana Normal School	Prof. William Bunch	Yes.	3	1	4	45	10	55	1 term	2	50	.....	.....	.....	.....
Terre Haute	Indiana State Normal	Lella Parr	.....	1	2	3	100	400	500	do	95	79	21	.....	.....	.....
Valparaiso	Valparaiso University	Wm. F. Gaskins	Yes.	4	2	6	80	320	400	1 lesson	30	.....	.....	.....	.....	.....
IOWA.																
Le Mars	Western Union College	G. J. Duikeloo, B. A.	Yes.	1	1	2	12	35	47	3 months	30	50	50	.....	.....	16
KANSAS.																
Emporia	Kansas State Normal School	Charles A. Boyle	.....	2	4	6	26	155	181	9 weeks	40	80	20	.....	.....	.....
Hays	Western State Normal	Charles A. Shively	Yes.	1	.....	1	10	20	30	10 weeks	2	.....	.....	.....	20	.....
KENTUCKY.																
Middleburg	Middleburg Normal College	J. S. Lawhorn	Yes.	1	1	2	3	13	16	2 months	2	.....	.....	.....	.....	.....
LOUISIANA.																
Natchitoches	State Normal School	.....	.....	.....	3	3	.....	78	78	4 months	60	.....	.....	.....	.....	.....
New Orleans	City Normal School	F. Samella Brown	No.	.....	4	4	.....	110	110	2 years	100	100	.....	.....	.....	.....

MAINE.																
Castine	Eastern State Normal School	Edward E. Philbrook		1		1	17	200	217		10		33			
Fort Kent	Madawaska Training School	Miss May Brown	Yes		2	2	49	60	109	No limit	0	100				
MASSACHUSETTS.																
Bridgewater	State Normal School	Clara C. Prince	No		1	1	5	102	107	20 weeks	100	100				
Fitchburg	Fitchburg State Normal School	Elizabeth D. Perry			1	1		143	143	2 years	100					
Salem	Salem Normal School	T. W. Archibald		1		1	5		5	do	100					
Worcester	State Normal School	E. L. Sumner		1	1	2				2½ years						
MICHIGAN.																
Mount Pleasant	Central State Normal	Harper C. Maybee	No	1	2	3				12 weeks	50	75	5	20	19	
Ypsilanti	State Normal College	Frederick H. Pease	No	6	3	9	26	234	260	3 months					100	
MINNESOTA.																
Duluth	State Normal School	Helen H. Mason	No		1	1	2	200	202	3 months	50	75				
New Ulm	Dr. Martin Luther College	John Schaller	No	4		4	50	7	57			100			26	
St. Paul	Teachers Training School	Miss Elsie M. Shawe	No		1	1	0	50	50	2 years	100	100				
MISSOURI.																
Cape Girardeau	Missouri State Normal School	Celia Campbell	Yes	2	2	4	170	230	400	3 months	60	5	85	10		
Chillicothe	Chillicothe Normal	E. H. Williams	No	1	1	2	12	29	41	1 week	10	100			21	
Kirksville	State Normal School	D. R. Gebhart	No	2	1	3	520	640	1,160	No limit	50	50	25			
Maryville	Maryville State Normal	P. O. Landon		1		1	25	75	100	12 weeks	75	0	100			30
St. Louis	Teachers College	Miss Mabel E. Bray			1	1		231	231		100	50				
Stanberry	Stanberry Normal School	E. H. Williams	Yes	1	3	4	16	64	80	10 weeks	15	80	3		53	
NEBRASKA.																
Fremont	Fremont College	C. W. Meeks	Yes	3		3										
Kearney	State Normal	Miss Mary W. Bailey		1	1	2	45	245	290	18 weeks	20	100				
NEW HAMPSHIRE.																
Plymouth	State Normal School	Irving W. Jones		1		1	1	102	103		95	100				
NEW JERSEY.																
Paterson	Normal Training School	Douglas H. Snyder		1		1		100	100	2 years	100					
NEW YORK.																
Brockport	State Normal School	Edith V. Sharpe									100					
Brooklyn	Brooklyn Training School for Teachers	Kate Fowler		1	1	2	10	782	792	2 years	100	100	0	0		
Cortland	Cortland State Normal School	Miss Minnie M. Alger	No		1	1	24	426	450	20 weeks	90					
Jamaica	Jamaica Training School	Miss Minerva A. Stranchen.			1	1	10	208	218	2 years	100	100				

TABLE 9.—*Statistics of departments of music in normal schools*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.
				Male.	Female.	Total.	Male.	Female.	Total.							
NEW YORK—cont'd.																
New York	Normal College of the City of New York.	Henry T. Fleck		2	2	4			2,640							
Do	New York Training School for Teachers.	Charlotte Richardson	No.		1	1	50	646	696	2 years	100	100				
Do	Teachers College, Columbia University.	Charles H. Farnsworth.	No.	1	5	6	17	100	117	1 year	100					
Potsdam	State Normal School (Crane Normal Institute of Music).	Miss Julia E. Crane	No.	1	3	4	5	41	46	20 weeks	50	20	6	74	99	
Rochester	Rochester Normal Training School	Mrs. Alice C. Clement			1	1	0	50	50	½ year	100	100			100	
NORTH CAROLINA																
Asheville	Normal and Collegiate Institute	Miss Elizabeth I. Cameron.	No.		2	2		190	190							
Greensboro	State Normal and Industrial College	Herman H. Hoexter	Yes.	2	2	4		150	150	1 year		75				
Henderson	Henderson Normal Institute	M. B. Cotton	No.		1	1	2	41	43	No limit	12	100				
Winton	Waters Normal Institute	Miss Maurie M. Roberts	Yes.		1	1	2	32	34	do	0	100				
OHIO.																
Ada	Ohio Northern University	J. W. Denny	No.	2	2	4	31	160	191	10 weeks	25	25	75		77	
Canfield	North Eastern Ohio Normal College	Anna K. Means	Yes.		1	1	10	30	40	do	40	60			2	
Cleveland	Cleveland Normal School	Frances J. Kelly			1	1		189	189	2 years	100	100				
Columbus	Columbus Normal School	Tillie G. Lord			1	1		100	100		90					
Lebanon	National Normal University	Albert S. Hill	Yes.	2	2	4	21	39	60	8 weeks	90	25	40	35		
Toledo	Training School for Teachers	Charles H. Thompson	No.	1		1		80	80	2 years	100					
OKLAHOMA.																
Alva	Northwestern State Normal	S. G. Smith	Yes.	2	2	4	32	67	99		5	80	15	5	5	
Edmond	Central State Normal		Yes.	2	2	4	75	125	200	No limit					12	
Weatherford	Southwestern State Normal School	Rollin M. Pease		1	2	3	4	50	54	10 weeks	10	100				

PENNSYLVANIA.																
Bloomsburg	State Normal School	Miss Portia Starr	Yes		3	3	18	72	90	No limit	0	25			34	
California	Southwestern State Normal School	Charles S. Cornell	Yes	2	1	3	15	40	55	....do	0	100				2
Clarion	Clarion State Normal	Miss M. Alice Cory			2	2	7	50	57	1 lesson			25	15	1	
Edinboro	State Normal School	Edwin A. Gowen	Yes	3		3	10	40	50	1 term						
Indiana	Indiana State Normal School	Hamlin E. Cogswell	No	1	5	6	50	125	175	No limit		50	25	25		
Kutztown	Keystone State Normal School	George C. Young		1	2	3	15	85	100	....do	33					
Mansfield	State Normal School	Floyd H. Spencer	No	1	3	4	30	120	150	....do	5	75	25		15	
RHODE ISLAND.																
Providence	Rhode Island Normal School	Emory P. Russell	Yes	1		1		60	60	2 years	100	100				
SOUTH CAROLINA.																
Greenwood	Brewer Normal School	Miss Myrta G. Parsons	No		1	1	1	20	21	No limit	0	100				
Lancaster	Lancaster Normal and Industrial Institute.	Hattie P. Neal	Yes		1	1	5	15	20	3 months	12	85	12			
Rock Hill	Winthrop College	A. O. Bauer		1	8	9		225	225			100				
SOUTH DAKOTA.																
Madison	Madison State Normal School	Susan W. Norton			1	1	2	57	59	12 weeks	100					
TENNESSEE.																
Nashville	Peabody College for Teachers	Harry P. Weld	Yes	1		1	36	126	162	4 months	100	99				
TEXAS.																
Denton	North Texas State Normal	Miss M. Manora Baylan			1	1	164	371	535							
VERMONT.																
Johnson	State Normal School	Miss Lena Lord	Yes	1	1	2	2	68	70	1 year	25	0	100			
VIRGINIA.																
Farmville	State Female Normal School				1	1		580	580	1 term	12	100				
Hampton	Hampton Normal and Agricultural Institute.	Ethel V. Cooledge		1	2	3	465	310	775							
WASHINGTON.																
Billingham	Washington State Normal	Miss Mabel M. Moore	No		2	2	180	170	350	No limit	75					
Cheney	State Normal School	Myra R. Wylie			1	1	49	103	152	....do	56	100				
WEST VIRGINIA.																
Glenville	State Normal School	Miss Mildred Ruddell			1	1	2	22	24	12 weeks	25	100				
West Liberty	West Liberty State Normal	Lucile W. Elliott			1	1	5	25	30	10 weeks						
WISCONSIN.																
Menominee	Dunn County Normal	Nora Murley			1	1	13	77	90	1 year	10	100	0	0		
Milwaukee	Milwaukee State Normal School	Ruth E. Walling			1	1			424		100					
Oshkosh	State Normal School	Barbara C. Moore			1	1	57	207	264	20 weeks	0					
Platteville	....do	Frank F. Churchill		1		1	100	200	300	10 weeks	35		90			
St Francis	Catholic Normal School	Otto A. Singenberger	Yes	2		2	31		31	5 months	0			100		
Superior	State Normal School	Mrs. Cora A. Merry	No		1	1	2	110	112	20 weeks	33					

TABLE 10.—*Statistics of departments of music in secondary schools.*

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
ALABAMA.																		
Anniston	Noble Institute	Mrs. Edna Gurren	No.	....	4	4	.....	45	45	1 month	.....	100	.....	.....	.....	.....	.....	.....
Birmingham	Pollock Stephens College of Music.	Henry T. Statts	No.	1	3	4	1	100	101	.....do	.....	90	10	.....	1	.....	.....	.....
Lineville	Lineville College	C. W. Welsh	No.	1	1	2	32	64	96	.....do	25	50	50	.....	9	.....	200	$150
Montgomery	Calhoun-Chamberlain School	Prof. R. B. Eilenberg	.....	1	2	3	.....	40	40	3 months	12	80	20	.....	5	.....	.....	.....
Newton	Baptist Collegiate Institute	Miss Neta Jones	No.	1	2	3	12	40	52	1 month	5	80	.....	.....	5	10	5	5
ARKANSAS.																		
Amity	Amity High School	Miss Myrle Cluxton	Yes.	....	1	1	3	22	25	No limit	75	100	.....	.....	25	.....	.....	.....
Belleville	Belleville Academy	Miss Emma H. Painter.	No.	....	1	1	3	22	25	1 month	.....	.....	.....	.....	.....	.....	.....	.....
Fordyce	Clery Training School	Miss May Crenshaw	No.	....	1	1	6	25	31	.....	40	100	.....	.....	.....	.....	.....	.....
Gentry	Gentry Hendrix Academy	L. H. Eakes	.....	1	....	1	.....	12	12	1 month	16	100	.....	.....	.....	.....	.....	.....
Little Rock	Arkansas School for the Blind.	Emile Trebing	.....	2	2	4	30	45	75	No limit	90	0	25	75	7	18	200	500
CALIFORNIA.																		
Burlingame	St. Mathews School	Joseph Smith	No.	3	....	3	8	.....	8	6 months	0	100	.....	.....	.....	.....	.....	.....
Los Angeles	Girls Collegiate Institute	Mrs. E. H. Parsons	No.	1	3	4	.....	40	40	1 year	.....	.....	.....	.....	.....	.....	.....	.....
Do	Harvard Military School for Boys.	Eva F. Pike	No.	1	1	2	40	.....	40	.....	.....	100	.....	.....	.....	.....	125	300
Oakland	Convent of Our Lady of the Sacred Heart.	Sister Rose	Yes.	1	6	7	.....	75	75	10 weeks	60	20	75	4	8	54	.....	.....
Sacramento	St. Joseph's Academy	Sister Mary Michael	Yes.	....	8	8	3	93	96	5 months	8⅓	60	40	.....	.....	65	.....	.....
San Francisco	St. Rose Academy	Sister M. Bernard	.....	....	4	4	.....	110	110	1 session	4	⅔	⅓	.....	16	30	100	.....
Santa Rosa	Ursuline College	Sister Agatha	No.	....	4	4	2	58	60	5 months	.....	.....	.....	.....	2	.....	.....	.....
COLORADO.																		
Colorado Springs	Colorado State School for Deaf and Blind.	A. L. Bohrer	No.	2	1	3	17	18	35	10 months	.....	0	16	19	.....	.....	.....	.....

CONNECTICUT.																		
Hartford	School for the Blind	George H. Marshall	Yes.	2		2	12	16	28	1 term								
Do	St. Joseph Seminary	Sister M. Loretto	Yes.		7	7						80			37		250	150
New Milford	Ingleside School	Edwin G. Clennence	No.	1	5	6	1	40	41	1 year	0		100					
Norwalk	Mrs. Mead's School for Girls	Mrs. M. E. Mead	No.		2	2												
Wallingford	The Phelps School				3	3		16	16									
Washington	Gunnery School for Boys	William E. Haesche		1		1												
Do	Wykeham Rise School	Anna E. Wilson	No.		1	1		10	10			100						
Windsor	The Campbell School for Girls.	Fred. B. Bower	Yes.	1	2	3	0	10	10	1 year	40	100						
DISTRICT OF COLUMBIA.																		
Washington	Gunston Hall	Prof. Anton Gloetzner	No.	3	4	7		70	70									
Washington (1621 Connecticut avenue).	Laise-Phillips School	B. Frank Gebest	No.	3	3	6		10	10	1 year	60				2	3		
Washington (601 E. Capitol street).	St. Cecelias Academy	Sister M. Olympia	Yes.		3	3		80	80									
Washington (2401 Massachusetts avenue).	The Florence School	Prof. Arthur D. Mayo	No.	3		3		8	8									
Washington (Third and T streets ne.).	Washington College	Harry P. Hopkins	No.	3	1	4		75	75	1 year	25				7			
FLORIDA.																		
Eustis	Presbyterian College of Florida.	Miss Emily P. Hortshorn.	Yes.		1	1	10	29	39	No limit								
Jacksonville	Cookman Institute	Arthur R. Grant	Yes.	1		1	10	32	42	1 month		100						
Tampa	Convent of the Holy Names	Sister Ignatius	Yes.		5	5	5	85	90		20	90	10		6			
GEORGIA.																		
Atlanta	Washington Seminary	J. Fowler Richardson	No.	2	3	5		68	68	9 weeks	33				20			
Auburn	Perry-Rainey Institute	Mrs. Rosa Reid			1	1	1	17	18	1 month		100						
Augusta	Paine College	Chas. A. Dryscoll	Yes.	1	1	2				No limit	10	75						
Epworth	Epworth Seminary	Susan H. Breck	Yes.		1	1	2	30	32	do								
ILLINOIS.																		
Alton	Ursuline Academy of the Holy Family.	Mother Evangelista	Yes.		4	4	7	96	103	1 month	20				4			
Chicago	Academy of Our Lady	Sister of Notre Dame	Yes.	1	8	9												
Do	Kenwood Institute	Louise Gertrude Ernst	Yes.		1	1		9	9	1 month								
Kankakee	St. Joseph's Seminary	Sister St. Mary	Yes.	1	2	3	2	78	80	3 months								
La Harpe	Gittings Seminary	Willard R. Slone	No.	1		1	4	37	41	2 months		98	2		6			
Media	Wever Academy	Katherine M. Powers	Yes.		1	1	8	19	27	1 year	22	100						
Mendota	Mendota College	John A. Wallace	No.	1		1	14	20	34	10 weeks	12	100				2	50	75
Mount Carroll	Frances Shimer Academy			1	4	5	3	60	63	12 weeks	20	100						
Nauvoo	St. Mary's Academy	Sister M. Cecelia Vachon	Yes.	1	6	7	10	90	100	5 months	50	50	50					
Peoria	Academy of Our Lady				3	3				3 months								
South Ottawa	Pleasant View Luther College	Mrs. W. C. Paisley	Yes.	1	1	2	5	19	24	1 term		100			3			
Springfield	Bettie Stuart Institute	Miss Alice J. Brooks	Yes.	1	2	3	2	40	42	do	50							

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				Male.	Female.	Total.	Male.	Female.	Total.									
INDIANA.																		
Indianapolis	Knickerbocker Hall	Cornelia I. Stayner			1	1		13	13	1 year.								
Goshen	Goshen College	John D. Brunk	No.	1	1	2	5	18	23	No limit.	20	20		80	2			
INDIAN TERRITORY.																		
Minco	El Meta Bond College	J. Aba Sager		1	1	2	14	35	49	1 month.	1	60	40	0	1			
Wynnewood	Indianola College	Mrs. F. J. Stowe	No.		1	1	3	12	15	3 months		100						
IOWA.																		
Clinton	Mount St. Clare Academy	Sister M. Carmel	Yes.		4	4		87	87	1 month.								
Davenport	St. Katharines School	Hans T. Seifert	Yes.	1	4	5				1 year.	75				8			
Epworth	Epworth Seminary	J. W. Crain, M. B		1	1	2	30	40	70			80			13			
Fort Dodge	Tobin College	Gertrude Whiting	Yes.		2	2	15	48	63			75	25		7			
Lyons	Our Lady of Angels Seminary	Sister Mary Oswald	Yes.		5	5		150	150	12 weeks.	5		75	25	6	12		
Vinton	Iowa College for the Blind	J. E. Vance	No.	1	2	3	24	26	50	No limit.		90	10					
KANSAS.																		
Concordia	Nazareth Academy	Mother Antoinette	Yes.		6	6		120	120	5 months.	50	75	25		10	18		
Lawrence	Haskell Institute	Miss Stella Robbins		1	1	2	235	112	347	3 years.								
Newton	Bethel College	D. A. Hirschler	Yes.	2		2	20	30	50	12 weeks.	60	100			13		25	$45
KENTUCKY.																		
Anchorage	Bellwood Seminary	Miss Mary P. Lord	No.		1	1		18	18	1 term.	40	100						
Boardstown	Boardstown Baptist Institute	Mrs. Morgan Yewell	Yes.		1	1		12	12	No limit.		100					10	12
Clinton	Marvin College				3	3	1	35	36	9 weeks.					2			
Covington	Notre Dame Convent							75	75			100						
Glendale	Lynnland Institute	Miss Willanna Smith	No.		2	2	5	27	32	5 months.	20	90						
Jackson	Lees Collegiate Institute	Margaret E. Denham	Yes.		1	1	1	24	25	2 weeks.	5	100						
Lexington	St. Catherines Academy	Sister Salesia	Yes.				6	60	66				100					
London	Sue Bennett Memorial School	E. Jeannette Peterson	No.		2	2	6	48	54	3 months.	3	100			1			
Versailles	Margaret Hall	Lucy A. Putnam																

MAINE.																		
Charleston	Higgins Classical Institute	C. Winfield Richmond		1		1	7	9	16	30 minutes	20		100					
Pittsfield	Maine Central Institute	Mrs. F. J. Taylor	Yes.		2	2	9	31	40	12 weeks	75	75			4	0		
Van Buren	Van Buren College	J. B. Capesius	Yes.	4	1	5	34	10	44	10 months	22					39		
Waterville	Coburn Classical Institute	Miss Mary J. Davidson	Yes.		1	1	15	35	50									
MARYLAND.																		
Baltimore	Academy of the Visitation		Yes.					40	40	1 quarter	30	100				25		
Do	Mount St. Joseph's College	Andrew J. Linhard	Yes.	1		1	24		24	3 months	25	16						
Port Deposit	Jacob Tome Institute	Jessie V. Cooper	Yes.	1	1	2	40	144	184		33	100						
Reisterstown	The Hannah More Academy	Horace Hills, jr	Yes.	1	1	2		50	50	1 year	25	100						
MASSACHUSETTS.																		
Andover	Abbot Academy	Samuel M. Downs	Yes.	2	1	3		40	40	1 quarter	50	100	0	0	0	0	30	100
Boston	Boston Academy of Notre Dame.	Sister Mary Elenore	Yes.		3	3		150	150	do	4	100						
Do	Perkins Institution for the Blind.	Edwin L. Gardiner	Yes.	10	8	18	56	60	116	3 months	5	50	50	0				
Bradford	Bradford Academy	Samuel M. Downs	Yes.	2	3	5		60	60	1 year	80		50	50				
Brimfield	Hitchcock Free Academy	Geo. F. Kenney	Yes.	1	3	4	36	15	51	do	20	100						
Concord	Middlesex School	John P. Marshall		1		1	100		100		0	100						
Fall River	Dominican Academy	Sr. Madeleine	Yes.					50	50		12							
Leicester	Leicester Academy	Miss Estelle Ward	Yes.	1		1	29	33	62		20	100						
Merrimac	Whittier School (Girls)		No.	2	3	5		9	9		75		100					
Natick	Walnut Hill School for Girls	Miss Conant	No.	1	3	4		68	68	1 year	12	100					30	100
New Bedford	Friends Academy	Edgar A. Barrell	Yes.	1	1	2	25	37	62	do	7	100						
Do	Mosher Home Preparatory School.	do	No.	1		1	24	14	38	3 months								
Northampton	Northampton School for Girls	Alfred M. Fletcher		2	2	4		55	55									
Roxbury	Notre Dame Academy	Sr. Donata	Yes.		4	4		96	96	5 months	8	100					50	150
Springfield	The Machluffe School (Girls)		No.	1	4	5		58	58	1 year	15	30			40			
Wollaston	Quincy Mansion School	Dr. Horace M. Willard	No.	3	1	4		30	30	do	40							
Worcester	Kimball School for Girls		No.	1	2	3		12	12	do		100						
MICHIGAN.																		
Kalamazoo	Michigan Seminary	Miss Dora L. Norton	Yes.		2	2		25	25		50				14			
Laurium	Sacred Heart School				4	4		70	70	No limit		100			4			
Monroe	St. Mary's Academy	Sister M. Borromeo	Yes.		9	9		250	250	1 quarter	20	10	80	10	5			
Pontiac	St. Fredericks School		No.		2	2	20	60	80	do					10			
MINNESOTA.																		
Fergus Falls	Pack Region Luther College	Emil Liebling		3	2	5	25	20	45	No limit								
Owatonna	Pillsbury Academy	Miss B. Price, Ph. D	Yes.		5	5	28	62	90	9 weeks	25	95						
MISSISSIPPI.																		
Clinton	Mount Hermon Seminary	Miss Mary E Copeland	No.		1	1	1	8	9	3 months	0							
Montrose	Montrose High School	Miss Lillian B. Woodard.			1	1	3	22	25			100						
Woodville	Edward McGehu College for Girls.	Miss Olga Schauneker	Yes.		2	2		37	37	1 month		100			2			

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				Male.	Female.	Total.	Male.	Female.	Total.									
MISSOURI.																		
Boonville	Kemper Military School	F. E. Miller and Mrs. Grace Johnston.	No.	1	1	2	27	.....	27	9 months	20	.....	100	.....	.....	.....	.....	.....
Clarksburg	Hooper Institute	Leta Clark	No.	....	1	1	0	12	12	No limit	16	33	50	33	.....	.....	.....	.....
Conception	Conception College	Rev. Gregory Hügle, O. S. B.	Yes.	8	....	8	40	.....	40	5 months	10	100	.....	.....	.....	.....	200	$1,000
Excelsior Springs	Haynes Academy	Miss Lula Haynes	No.	....	1	1	2	15	17	No limit	10	10	20	70	3	.....	.....	.....
Farmington	Carleton College	P. L. McFerrin	Yes.	1	....	1	10	40	50	.....	20	100	.....	.....	.....	.....	.....	.....
Do	Elmwood Seminary	Lillie F. Clark	Yes.	....	1	1	.....	.....	.....	½ year	50	100	.....	.....	.....	.....	.....	.....
Fulton	William Woods College	Miss Pearl L. Bird	.....	....	6	6	2	120	122	19 weeks	.....	.....	.....	.....	.....	.....	.....	.....
Kansas City	St. Teresas Academy	Prof. Menton Crosse	Yes.	1	2	3	.....	79	79	5 months	20	100	.....	.....	.....	.....	.....	.....
Richmond	Woodson Institute	Mrs. Mary L. Malkoff	Yes.	....	2	2	8	50	58	12 weeks	10	.....	.....	.....	40	.....	.....	.....
St. Louis	Missouri School for the Blind	.....	.....	1	2	3	39	32	71	.....	.....	.....	.....	.....	2	.....	.....	.....
NEBRASKA.																		
Blair	Dana College	Amanda Hansen	.....	....	1	1	16	7	23	No limit	4	100	.....	.....	.....	.....	.....	.....
Columbus	St. Francis Academy	Sister M. Agnes	No.	....	4	4	12	64	76	.....	.....	.....	.....	.....	8	131	.....	.....
NEW HAMPSHIRE.																		
Andover	Proctor Academy	Grace E. Currier	Yes.	....	1	1	30	30	60	1 year	.....	.....	.....	.....	.....	.....	.....	.....
Center Strafford	Austin Cate Academy	George W. Russell	Yes.	1	....	1	16	30	46	6 weeks	3	0	.....	.....	.....	.....	.....	.....
Concord	St. Paul's School	James C. Knox	.....	4	....	4	65	.....	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
Exeter	Robinson Female Seminary	Miss Edith J. Ellis	No.	....	1	1	.....	200	200	1 year	0	100	.....	.....	.....	.....	.....	.....
Manchester	Convent of Jesus Mary	Sr. St. Anthony of Padua.	No.	....	3	3	3	62	65	.....	0	0	.....	.....	.....	.....	.....	.....
Meriden	Kimball Union Academy	Mary F. Norcross	.....	....	2	2	3	7	10	1 term	.....	.....	.....	.....	.....	.....	.....	.....
New London	The Colby Academy	Carlotta E. Gilbert	.....	....	1	1	1	10	11	10 weeks	11	80	20	.....	.....	.....	.....	.....
Tilton	Tilton Seminary	Bessie M. Willard	Yes.	....	2	2	14	66	80	.....	.....	100	.....	.....	5	.....	.....	.....

NEW JERSEY.																		
Convent Station	College of Saint Elizabeth	Sister Agnes Cecilia	Yes	4	6	10	.....	276	276	½ term	45	.....	.....	.....	9	20	1,000	.....
Do	St. Joseph's Preparatory School.	Sister Maria Austina	Yes	.....	3	3	30	.....	30	½ term	0	.....	.....	.....	.....	.....	.....	.....
Fort Lee	Institute of Holy Angels	.....	Yes	.....	2	2	.....	42	42	1 year	.....	90	.....	.....	.....	.....	.....	.....
Kenilworth	Upsala College	Theodore Björksten	Yes	1	1	2	6	16	22	5 months	.....	100	.....	.....	.....	.....	.....	.....
Long Branch	"Star of the Sea" Academy	Sister M. Imelda	.....	1	4	5	10	40	50	10 weeks	10	.....	.....	.....	.....	.....	.....	.....
Passaic	Passaic Collegiate School	John Henderson	No	1	2	3	22	57	79	1 quarter	.....	.....	.....	.....	.....	.....	.....	.....
Plainfield	Plainfield Seminary	Miss Jennie May	No	.....	3	3	.....	30	30	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wenona	Wenona Military Academy	Mrs. T. D. Clark	No	.....	1	1	12	.....	12	.....	85	20	.....	.....	.....	.....	.....	.....
NEW YORK.																		
Albany	Academy of the Holy Names	Sister Alphonsus	No	3	5	8	4	120	124	½ year	38	75	25	0	12	80	150	$00 216
Batavia	New York School for the Blind.	Lillian L. Greene	.....	2	3	5	60	57	117	No limit	5	10	30	60	5	.....	216	2
Brooklyn	Berkeley Institute	Frank Wright	Yes	1	1	2	.....	250	250	½ year	57	100	0	0	0	0	.....	.....
Do	St. Thomas Aquinas Academy	Sister Saint Agnes	Yes	.....	.....	.....	2	38	40	1 quarter	33	100	0	0	0	2	30	50
Carmel	Drew Seminary for Young Women.	Miss Myrtle D. Clark	Yes	.....	2	2	0	40	40	3 months	.....	100	0	0	10	0	.....	.....
Cornwall on Hudson	Cornwall Heights	Anna H. Davis	No	.....	1	1	11	3	14	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dobbs Ferry	The Misses Masters School	Arthur Whiting	No	6	5	11	0	88	88	2 years	.....	100	.....	.....	.....	.....	45	60
Fort Edward	Fort Edward Collegiate Institute.	Miss Ardelle Harrington.	.....	.....	2	2	.....	35	35	.....	.....	.....	.....	.....	5	.....	.....	.....
Hartwick Seminary	Hartwick Seminary	C. S. Derrick	Yes	1	1	2	13	15	28	1 term	15	90	.....	.....	.....	.....	.....	.....
Keuka Park	Keuka College	Julia Ball, F. C. M	Yes	.....	1	1	7	30	37	.....	.....	.....	.....	.....	.....	3	.....	.....
Lakemont	Palmer Institute	Miss Mae L. Dutton	Yes	.....	1	1	15	12	27	10 weeks	25	100	.....	.....	3	.....	20	60
Lima	Genesee Wesleyan Seminary	.....	.....	1	1	2	15	70	85	..... do	25	.....	.....	.....	.....	3	.....	.....
Locust Valley	Friends Academy	Edna B. Downing	Yes	.....	1	1	5	14	19	½ year	0	100	.....	.....	.....	.....	.....	.....
New York	Academy Mount Saint Vincent	Gaston M. Dethier	Yes	3	7	10	0	203	203	5 months	31	100	.....	.....	.....	.....	.....	.....
Do	Barnard School for Girls	Miss Ethel Whaley	Yes	.....	4	4	40	150	190	1 year	12	100	.....	.....	.....	.....	.....	.....
New York (2042 Fifth avenue).	Classical School for Girls	Albert Mildenberg	.....	4	1	5	.....	26	26	..... do	100	100	.....	.....	.....	.....	.....	.....
New York (44 Fifty-second street).	La Salle Academy	Prof. J. Meehan	Yes	3	.....	3	105	.....	105	..... do	0	100	.....	.....	.....	.....	.....	.....
Peekskill	Peekskill Military Academy	Haas T. Seifert	Yes	2	.....	2	12	.....	12	..... do	10	.....	.....	.....	.....	.....	.....	.....
Plattsburgh	D'Youville Academy	Sister St. Emile	Yes	.....	4	4	0	90	90	10 weeks	8	100	.....	.....	.....	.....	.....	.....
Port Henry	Champlain Academy	Sister M. Agnes	Yes	.....	3	3	10	40	50	1 year	40	.....	50	50	10	3	.....	.....
Tarrytown	Hackley School	John D. Hazen	.....	1	2	3	25	.....	25	1 term	.....	40	.....	.....	.....	.....	.....	.....
Watertown	Immaculate Heart Academy	Sister M. Cecilia	Yes	.....	4	4	15	62	77	30 minutes	.....	.....	.....	.....	.....	.....	.....	.....
Yonkers	The Halsted School	Jane C. Wilson	Yes	.....	5	5	2	14	16	1 year	.....	5	20	.....	.....	.....	.....	.....
NORTH CAROLINA.																		
Raleigh	St. Mary's School	Almon W. Vincent	No	1	6	7	1	143	144	No limit	27	100	.....	.....	.....	31	.....	.....
Do	State School for the Blind	John A. Simpson, D. M	Yes	3	4	7	45	30	75	..... do	20	57	42	0	2	2	460	250
Salemburg	Salemburg Academy	R. H. Fisher	.....	1	1	2	1	50	51	.....	.....	.....	.....	.....	.....	.....	.....	.....

TABLE 10.—*Statistics of departments of music in secondary schools*—Continued.

State and post-office.	Name of institution.	Director of music.	Incorporated.	Instructors in music.			Students enrolled in department of music.			Shortest period for which students are received.	Per cent of students completing high school course of 3 years or more.	Per cent of students devoting less than 5 hours per week to music.	Per cent devoting more than 5 but less than 10 hours per week to music.	Per cent devoting 10 hours or more per week to music.	Graduates in music in last 5 years.	Students not graduates receiving certificates in music in last 5 years.	Number of volumes in library.	Value of library.
				Male.	Female.	Total.	Male.	Female.	Total.									
OHIO.																		
Cincinnati	Notre Dame Academy	Sister of Notre Dame	Yes	...	1	1	.....	31	31	1 quarter	40	0	100	.....	1	14	.....	.....
Cleveland	University School	.....	Yes	2	1	3	30	.....	30	.....	.....	.....	30	.....	.....	.....	.....	.....
Columbus	State School for Blind	James McCombs	.....	5	5	10	100	125	225	.....	0	.....	.....	.....	21	.....	.....	.....
Dayton	Notre Dame Academy	Sister Aloysius	Yes	....	4	4	.....	90	90	1 year	20	.....	.....	.....	.....	.....	.....	.....
Do	St. Mary's Institute	Bro. Louis Vogt	Yes	6	....	6	.....	.....	.....	.....	25	100	.....	.....	.....	.....	.....	.....
Glendale	Glendale College	Miss N. C. Fisher	No	....	2	2	.....	89	89	3 months	50	20	79	1	.....	.....	.....	.....
St. Martin	Ursuline Academy for Young Ladies	.....	Yes	....	4	4	.....	42	42	5 months	.....	.....	.....	.....	.....	.....	.....	.....
Toledo	St Johns College and University.	V. Winter, S. J	Yes	2	....	2	60	.....	60	1 year	50	100	.....	.....	.....	.....	.....	.....
OKLAHOMA.																		
Guthrie	St. Joseph's Academy	Sister M. Evangelista	Yes	....	4	4	.....	65	65	5 months	80	.....	.....	.....	.....	.....	.....	.....
Oklahoma City	Epworth University	E. C. Marshall	No	3	1	4	25	102	127	5 weeks	10	100	.....	.....	0	4	.....	.....
OREGON.																		
Portland	St. Helens Hall	Sister Superior	No	1	5	6	.....	72	72	½ year	11	100	.....	.....	.....	.....	.....	.....
PENNSYLVANIA.																		
Bryn Mawr	Baldwin School for Girls	Luther Conradi	Yes	1	3	4	0	70	70	10 weeks	0	100	.....	.....	.....	.....	.....	.....
Canonsburg	Jefferson Academy	T. U. Liggitt	Yes	2	1	3	40	40	80	No limit	0	.....	.....	.....	.....	.....	.....	.....
Carlisle	Carlisle Indian Industrial School.	Claude M. Stauffer	.....	1	....	1	400	300	700	3 years	0	.....	.....	.....	.....	.....	.....	.....
Do	Metzger College	Miss C. J. Thompson	Yes	....	2	2	2	40	42	9 months	.....	.....	.....	.....	.....	2	.....	.....
Jenkintown	Abington Friends School	Miss Urania D. Matz	.....	....	1	1	4	18	22	1 term	25	.....	.....	.....	.....	.....	.....	.....
Lititz	Linden Hall Seminary	Miss Elsè West Rulon	No	1	3	4	46	207	253	.....	11	100	.....	.....	3	.....	.....	.....
Mount Pleasant	West Pennsylvania Classical and Scientific Institute.	.....	Yes	....	2	2	10	56	66	.....	6	100	.....	.....	17	.....	.....	.....
Overbrook	Pennsylvania Institute for Blind.	David D Wood	.....	3	3	6	46	38	84	.....	.....	.....	.....	.....	.....	.....	.....	.....

Ogontz School	The Ogontz School	Mrs. Laura G. French	No.	5	3	8		90	90	4 months								
Pennsburg	Perkiomen Seminary	C. B. Weirich	Yes.	2	1	3	18	75	93	1 term	50	100			15	35	50	$50
Philadelphia	Holman School for Girls	Miss Louise H. Haynes.	Yes.		3	3		103	103		70							
Scranton	St. Cecilia Academy	Sister M. Crescentia	No		4	4	25	75	100	1 quarter	10							
Sugargrove	Sugargrove Seminary	Miss Myrtle Scott	Yes.		1	1	8	22	30		20	90	10			32		
Wayne	St. Luke's School	Jamer A. Dickinson	No.	4		4	116		116	6 years		75						
West Chester	Darlington Seminary	Christine F. Bye	No.	1	4	5		75	75	1 year	100				7			
RHODE ISLAND.																		
Providence	Miss Wheeler's School	John H. Masen, C. B		2	1	3		19	19	1 year	60	100						
Woonsocket	Sacred Heart College	Brother Benjamin		1		1	25		25	do		0	80	20				
SOUTH CAROLINA.																		
Hartsville	Welsh Neck High School	Mary Harley			2	2	3	30	33	3 months	16				3			
SOUTH DAKOTA.																		
Canton	Augustana College	Bertha Stensrud	No.	1	1	2	120	80	200	10 weeks	10	90	10		0	0		
Gary	School for the Blind	Miss Lelah G. Nicholas.	Yes.		2	2	16	8	24	No limit	0	55	45				20	
TENNESSEE.																		
Jackson	Lane College	William E. Lew	Yes.	1		1	8	78	86	1 month	12							
Lynnville	Robt. B. Jones High School	Mackie M. Blackburn			1	1		12	12	No limit	50	0	100					
Pleasant Hill	Pleasant Hill Academy	Miss Bertha B. Morley	No.		1	1	1	23	24	1 month	0	100						
White Pine	Edwards Collegiate Institute	Miss Edna Webb	No.		1	1	6	20	26	No limit	10	80	20					
TEXAS.																		
Abilene	Simmons College	James W. Taylor	Yes.	2	1	3	7	61	68	1 month	0	100			5	12		
Austin	State Institution for the Blind.	H. G. Collins	No.	5	2	7	90	44	134			100						
Marshall	Bishop College	Miss A. Haskell	No.		3	3	9	43	52				50		2			
San Antonio	St. Louis College	Christian Behlen	Yes.	3		3	40		40	5 months	0	100						
Tehuacana	Westminster College	Miss Blanche Chapin	No.		1	1	4	36	40	17 weeks	4	100			3	1		
Whitewright	Grayson College	H. H. Bellamann	Yes.	1	1	2	12	58	70	10 weeks	90	90	10		21	0		
VERMONT.																		
Barre	Goddard Seminary	Alice N. Averill	Yes.	1	1	2	8	45	53	½ term	20	100			6			
Saxtons River	Vermont Academy	Cora L. Root	Yes.		1	1	9	13	22	1 term	4	100			5			
VIRGINIA.																		
Claremont	Temperance Industrial and Collegiate Institute.	Miss R. E. Josey	Yes.		1	1	24	30	54	1 year	77	20						
Clifton Forge	Clifton Forge Seminary	Miss L. M. Goodwyn	No.		2	2	6	30	36	1 month	16	100						
Danville	Randolph Mason Institute	Miss Hannah M. Bodell	Yes.		4	4		86	86	4 months	75							
Gordonsville	Woodlawn Seminary	Miss Alma Read	No.		1	1	10	17	27	No limit		100			5			
Herndon	Herndon Seminary	Miss Virginia Castleman	No.		1	1	1	11	12	1 term	50		100		4	16		
Lynchburg	Virginia Christian College	Miss Bertha F. Dew	Yes.		3	3	7	52	59	12 weeks	75	80	20					

TABLE 10.—*Statistics of departments of music in secondary schools*—Continued.

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				Male.	Female.	Total.	Male.	Female.	Total.									
VIRGINIA—cont'd.																		
Reliance	Shenandoah College	Beulah E. McNemar			2	2	6	10	16									
Staunton	Virginia Female Institute	Prof. F. R. Webb	Yes.	1	3	4		60	60	1 term	75					16		
Sweet Briar	Sweet Briar Institute	Helen F. Young	Yes.	2	1	3		34	34		90	100						
WEST VIRGINIA.																		
Buckhannon	Wesleyan College	Frederick Benson	No.	2	2	4	75	225	300	½ hour	90	100			12			
Charlestown	Powhatan College	J. Erwin Price	Yes.	1	8	9		110	110	10 weeks	25				20	10		
Do	Stephenson Seminary	Mrs. A. B. Hamaker	Yes.		1	1	1	43	44	1 quarter	5	100			2			
Clarksburg	St. Joseph's Academy	Sister J. Aloysius	No.		2	2		40	40	3 months	60							
Grafton	St. Augustine's School	Sr. M. Genevieve	No.	2		2	2	30	32	10 weeks								
WASHINGTON.																		
South Park	College of Our Lady of Lourdes	Miss Lueben	Yes.	3		3	35		35	10 weeks	10							
Uniontown	St. Joseph's Parochial School	Sister Stanislaus	No.		2	2	24	54	78									
WISCONSIN.																		
Beaver Dam	Wayland Academy	Martha K. Roberts		3	3	6	17	39	56	12 weeks	33				8		50	$50
Endeavor	Endeavor Academy	Miss Vera Brereton	Yes.		1	1	22	34	56		10	100						
Evansville	Evansville Seminary	Anna Boyce	Yes.		1	1	7	36	43	1 term	33							
Fond du Lac	Grafton Hall	B. T. Rogers	Yes.	3	4	7		51	51	1 year	30							
Galesville	Gale College	Arthur Giere	Yes.	1		1	14	18	32	1 month	50	15	23					
Janesville	Wisconsin School for the Blind			1	3	4	30	35	65	No limit	0	80	20					
Mount Calvary	St. Lawrence College	Charles Schaefer	Yes.	1		1	87		87	5 months		100						
Plymouth	The Mission House	Edward Wentz	Yes.	5		5	76	5	81	1 term	0	60	40					
Prairie du Chien	St. Mary's Academy	Mother M. Seraphia	Yes.					70	70	1 year	9	0	60	40	20			
Watertown	Sacred Heart College	Wm. T. Shiele	Yes.	1		1	15		15									

IV. PAST AND PRESENT TENDENCIES.

It already has been noted that the development of music education has moved along four lines, namely, in the public schools, by private teachers, in colleges and universities, and in independent music schools. The impulse given by the old singing school, with its crude attempts to teach the reading of music by note to adults, naturally led to efforts in the same direction with children, and music in the public schools was the result. The activity of individuals resulted in a constantly increasing body of private teachers of various instruments and musical theory. This body received many accessions of trained musicians whom the unsettled social and political conditions of Europe sent to this country, and who gained their livelihood by teaching music. The gradual establishment of schools of music and of departments of music in connection with colleges followed, and the movement toward a formal music education was fully launched. Undoubtedly, among these agencies there were many with high ideals and more or less definite educational purposes, but influences were quickly at work which were to give a decidedly wrong bent to music instruction. Composition and performance were the goals toward which all efforts were directed, and with no educational precedents existing for the guidance of those engaged in it, music teaching rapidly became imbued with false ideals, and, in time, the affected virtuoso, the specialist, flourished, finding many disciples, and the purpose of music education steadily narrowed.

It is not surprising, however, that the pedagogic development of music in its earlier stages, under the conditions dominant in a country whose energies were chiefly employed in the expansion of commerce and manufactures, should be lacking in system. When the progress, in the United States, of educational movements generally is considered, it is not remarkable that in an art so elaborate and complex as music confusion should exist and much pioneer work be necessary, and that mistakes both of commission and omission would be made before music education should be fully understood, and the principles on which it should be based be clearly formulated. While the historical statement may indicate the absence of a guiding principle, a lack of unity in effort, and confusion of opinion as to what constituted the true office of music and the real nature of music education, it also supplies evidence that there has been a demand for musical culture, and that those who took upon them the labors of the pioneer perceived this, and, realizing the need for a better education of the people in music, were not astray in their estimate of what that need was. The projectors of the old singing school builded better than they knew when they attempted to initiate the people into the mysteries of musical notation, and gave impetus to an impulse which

was to bear good fruit. Despite their slight musical equipment and the crudity of their instruction, they were keen enough to perceive that music was an important part of the life of the people and could be made more productive of good by educating them in the essentials of music culture. It was the departure from this purpose by those who followed that gave rise to the confusion which so quickly developed as the cultivation of music increased, and that circumscribed the scope of music education, limiting it for many years almost entirely to the field of professional training.

The practice of music, rapidly developing into well-defined specialties, each possessing its own peculiar technique and requirements of instruction, attracted a constantly increasing body of students whose entire attention became more and more absorbed by the form in which they were specially interested. This absorption in some particular manifestation of music produced sharply drawn lines of separation, and caused formulators of methods of instruction to lose sight of two truths which underlie music education equally with other forms, and which must be taken into account by those who would place music where it rightfully belongs in the scheme of public education: First, that to be educationally valuable music must speak a message to the people at large, who must be prepared to understand and appreciate its utterances; and, second, that while there are various forms of musical manifestation they are all branches of the parent music trunk, their fruitfulness depending upon the proper cultivation of the stem from which they derive their life; and whether music be viewed from the standpoint of the creator, theorist, performer, or pedagogue; whether it be taught in the public school, the college, the university, the conservatory, or by private teacher, underlying all instruction are basic educational principles requiring recognition and logical development; and however divergent the activities of the different exponents of music eventually may become, there is a point where their specialization emerges from the parent art.

The failure of musicians to apprehend these truths has constituted the weakness of the educational activities of the past forty years. It was the excessive emphasis placed on the vocational aspect of music, exalting it unduly, which relegated to the background and ultimately obscured that view which sees in music a close connection with social and national life, and opens up a vast field of cultural education in which the people can participate. This restriction of the office of music has come to pass despite the fact that history is replete with illustrations of the intimacy existing between it and personal, social, and national life in the expression of the deeper feelings of human nature. Dominated by this narrow view, the aim of music teaching has been the making of players and singers or the development of composers, and back of the activities of those who

have dictated methods of instruction has been the conviction that peculiar and pronounced talent must determine the advisability of music instruction, those only who are so fortunate as to possess this God-given ability being worthy of serious attention, while for the less fortunate majority music is a sealed book.

This narrowness of outlook and the absence of definite standards of instruction naturally have made themselves felt in music teaching. Specialized forms of study have been thrust upon students almost with the first lesson. Technique became the sine qua non of all effort. No provision was made for foundational preparation, and the necessity for any breadth of culture was entirely ignored. Music departments and conservatories became technical training schools, and private teachers emulated their example. Well-defined courses of study, progressing logically and systematically from grade to grade to the point where specialization could properly begin and specific professional preparation be entered upon to advantage, were so rare as to be a negligible quantity in estimating the status of music education, and the correlation of music and nonmusic courses was practically unknown. The status of music in universities and colleges was also unsatisfactory, on account of the reason for its installation being in doubt, some holding that it should be for the purpose of supplying a music education on a somewhat higher level than that furnished by the primary grades, others seeking to secure for it recognition as a professional specialty in common with other specialties of the university system, while the college authorities themselves looked upon it as a good thing for the treasury but of little or no moment in the general scheme of education. Sharp distinctions were drawn between the advocates of music as a part of the public school work and those who, by right of their training and standing as professional musicians, considered themselves the true exponents of music. Lack of coordination and cooperation left a wide chasm between the more elementary work, as carried on in the primary grades, and the advanced courses outlined in colleges and universities.

The result of these conditions was the complete separation of music from general educational thought. Trained educators naturally were quick to perceive the lack of standardization in methods and the pedagogic inefficiency of those to whom the development of music education was intrusted, and of course gave music a valuation no higher than that at which it was appraised by the majority of its exponents. The unscientific character of music teaching, the prevalence of haphazard systems of instruction, and the undue emphasis placed upon the personal equation repelled educators, who accepted the statement of musicians themselves that temperament and natural endowment are indispensable in music education. The fact that

not only the average teacher of music, whatever might be his or her sincerity, was of restricted education and intellectual ambition, but that too frequently music's most prominent exponents were of equally narrow intellectual horizon, strongly militated against music as an educational force. What has been the attitude of organized educational forces toward music is significantly expressed in the oft-repeated story of the principal of a girl's school, who asked a prospective student, "Do you come here to study, or to take music?" However unfair this attitude may be considered by those who, sounding the depths of musical science and art, realize its potentialities, it is apparently abundantly justified by the conditions which have prevailed until within recent years.

Turning from this contemplation of past conditions and tendencies to those of the present, we find many of the evils named still existing. The misapprehension of years is not easily removed, and the segregation of teachers, the absence of standards, and the spirit of specialization arising from the excessive cultivation of music as a vocation, which has dictated the various schemes of instruction for so many years, are conditions not to be quickly overcome. Yet there are abundant indications that influences are now at work which have leavened the lump and are already making themselves strongly felt. There has grown into appreciable proportions a class of musicians who decidedly deprecate the narrowness and inefficiency of the past, and are making strenuous and well-directed efforts to broaden the character and improve the efficiency of music teaching. In the meetings of their associations, in their studios and class rooms, and in print they are carrying on a propaganda which strikes at the root of the evils which have existed for so long a time. Earnest attempts are made by exponents of music education in the public schools, conservatories, and colleges, and among private teachers to get together, to establish standards, to unify courses of study, and to supply missing links in the educational chain. The day of the pretentious virtuoso is past; there is a growing conviction that the long-cherished belief that music teaching should be confined to those who are temperamentally endowed is a serious mistake. The importance of foundational work is being realized, and the beneficent effects upon the musician of a broad culture are becoming more and more appreciated.

Teachers of various instruments and of voice are making systematic efforts to prepare curricula which will be uniform in standard, doing away with the desultory and unregulated methods of the past. Theorists are discussing questions the solutions of which will make for uniformity. Teachers in public schools are steadily seeking to improve both the matter and the method of their phase of music education, rectifying inaccuracies of grading and bridging over the

chasm between elementary and advanced grades. The cultivation of music in its foundational aspects and as a part of the life of the people is being given intelligent consideration. Pedagogic principles as a basis for further development are being given attention, and the trend is strongly toward efficiency, uniformity, coordination, and cooperation.

The body of musicians to be inoculated with sound pedagogic principles and breadth of view is large, many of its members are isolated, commercialism is still strong, and many are yet too much inclined to be satisfied with methods with which they are familiar and too indifferent to take the trouble involved in improvement; but the germ has been implanted, and although it may take time it will do its work.

Perhaps the most significant fact which an investigation of present tendencies shows is the marked change in their attitude toward music of the dominating forces in educational movements to-day, namely, the colleges and universities. While music is still made to feel that it is only tolerated in some institutions, there has come to pass what may rightfully be esteemed a remarkable change of heart upon the part of many institutions of the highest grade and influence. It is clear that the separation between music and general educational thought is not only being rapidly lessened, but that it will completely disappear in a much shorter time than past conditions would warrant one in predicting. The report of an investigation of the present status of music in colleges, conducted by a committee appointed by the Eastern Educational Music Conference,[a] gives some exceedingly interesting information on this point. A list of questions concerning the granting of credit for the study of music, both for entrance and during the college course, was sent to a number of leading universities and colleges in various parts of the country, but particularly in New England and the Middle States, where educational precedent is most strong. One hundred and twenty-three replies were received. Fifty-eight institutions do not maintain music departments. Of these, 15 give the following reasons for the absence of such departments: No means, 8; no demand, 3; music not a collegiate study, 3; lack of time, 1. New York University replies: "If we were given an endowment for such courses, we should offer them gladly." Of the remaining 65 institutions, 58 give credit for the study of music, either at entrance or during the course leading to a degree, or both. Among the institutions granting credit in music both for entrance and toward a degree are Amherst, Barnard, Beloit; College of St. Angela, Colorado; Columbia University, Cornell University, Harvard University, Oberlin,

[a] The full report can be obtained by addressing Prof. Leonard B. McWhood, Columbia University, New York City, N. Y.

Radcliffe, Smith, State College of Washington, Syracuse University, Tufts, Westminster, and Wilson.

Those that grant entrance credit but not toward a degree are Leland Stanford University, University of North Dakota, and University of Tennessee. The first of these has no department of music, and its recognition (August, 1907) of the value of entrance credit in music to the amount of three points out of fifteen required is significant.

Among the institutions that grant credit toward a degree but not at entrance are the Universities of Arkansas, Colorado, Idaho, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Oregon, South Dakota, Washington, West Virginia, and Wisconsin; Dartmouth and Mount Holyoke colleges, Northwestern University, Ohio Wesleyan University, University of Nashville, Vassar and Wellesley colleges, Yale University, and Converse College.

The subjects for which credit is given, and the number of colleges granting such credit, are as follows:

Branches in which credit is allowed.	At entrance.	Toward a degree
Musical appreciation, including history of music, etc	9	42
Harmony	18	47
Counterpoint, including fugue, etc	9	33
Composition, including form, etc	0	18
Practical music (performance)	10	21

The significance of these figures lies in the fact that these credits are for the degree of bachelor of arts or its equivalent, and not for professional courses.

V. CONCLUSION.

It is clear that the present status of formal music education is one of transition. With many independent schools of music, colleges, and universities offering well-conceived music courses of high standard, there is still lacking the unity and complete coordination of effort that should characterize a well-grounded scheme of education. The courses of each institution follow each other sequentially, but no uniform standard is maintained by which their relative merit and adaptability can be assured, and which will unify the work of all institutions offering such courses into a thoroughly organized system. Each school is a law unto itself; hence when a student presents credits from one to another there is no basis of agreement as to the value of such credits. Secondary schools, which in general education take care to have their courses closely articulated with those of institutions of higher education, attempt the same grade of music instruction

as the best equipped conservatory or college. There are no secondary music schools. A well-defined, properly regulated development of music education from its most elementary to its highest grades does not yet exist.

Music needs the college atmosphere, its spirit of culture, and its well-directed effort. It needs the application to its methods of the system and orderliness that characterize college work. These need not, and will not, check its artistic attributes, but they will bring to it system in classification and thoroughness and accuracy in the coordination of its elements. That such a consummation will be reached present conditions give basis for belief.

If this investigation of present conditions in formal music education reveals weaknesses in organization and misdirection of effort, it also shows decided gains in many essentials of future development. It discloses great musical activity in colleges and universities, and by its revelation of the critical attention now paid to the preparation of music courses and their correlation with other subjects of the curriculum, it gives encouragement to musicians to redouble their efforts for the elevation of standards of musical scholarship in all its phases.

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EDUCATION IN FORMOSA

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AMERICAN CONSUL
TAMSUI, FORMOSA

WASHINGTON
GOVERNMENT PRINTING OFFICE
1908

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LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, June 25, 1908.

SIR: The manuscript which I am transmitting herewith, on Education in Formosa, was prepared by Mr. Julean H. Arnold, American consul at Tamsui, Formosa, and was sent by him to the Department of State. Through the courtesy of the Smithsonian Institution, to which office the paper had been transmitted by the Department of State, I have secured it for publication in the Bulletin of the Bureau of Education, and have the honor to recommend that it be published as one of the numbers of that Bulletin for the current year.

The special interest attaching to this report of Mr. Arnold's arises from the fact that the educational campaign of the Japanese Government in Formosa, which he describes with careful attention to essential details, offers a significant parallel to the educational campaign which our Government is conducting, at no great distance from Formosa and under somewhat similar conditions, in the Philippine Islands.

Very respectfully, ELMER ELLSWORTH BROWN,
Commissioner.

The SECRETARY OF THE INTERIOR.

PREFACE.

With Japan and America entering the ranks of the colonizing powers, the question of colonial education becomes particularly important, especially so in view of the fact that education in both Japan and America occupies a commanding position. It is rather significant that the two great Pacific powers should have become colonizing nations within three years of each other.

It is the purpose of this monograph to set forth the results of Japan's efforts to establish an educational system in Formosa, her first colonial possession. In order that we may fully understand the nature of the problem with which she has to contend, I have attempted to describe somewhat fully the work of her predecessors in the island, the Dutch and the Chinese. Thus the monograph has naturally resolved itself into a history of education in Formosa. While I have touched upon the subject of education in both China and Japan, I have made no effort to describe conditions as they obtain in those countries. For such a description the reader is referred to Mr. Robert E. Lewis's admirable book, The Educational Conquest of the Far East.

For much of my material I have to acknowledge my indebtedness to the Rev. William Campbell's work, entitled "Formosa under the Dutch," and to the official publications of the Formosan government. I am especially indebted to Mr. Mochiji, director of education in Formosa, and to Mr. Ogawa, his very able assistant, for their extreme kindness in affording me every possible opportunity to study conditions at first hand.

Julean H. Arnold.

American Consulate,
Tamsui (*Daitotei*), *Formosa.*

EDUCATION IN FORMOSA.

I.—EDUCATION UNDER THE DUTCH.

1. THE DUTCH EAST INDIA COMPANY.

To Holland the island of Formosa is indebted for its first schools. In the early part of the seventeenth century, when the Dutch West India Company was establishing trading posts and appropriating to itself lands upon the American continent, the Dutch East India Company, unsuccessful in its efforts to drive the Portuguese from Macao or to secure trading privileges upon the China coast, established itself without opposition in the southern part of Formosa. This company claimed the island by virtue of an agreement with China and proposed to make it a valuable trading post. Instead of laboring to gain the friendship of twenty-five or thirty thousand Hakka Chinese residents in the island, or that of a handful of wealthy Japanese traders, already there, they wisely courted the good will of the aborigines who owned the territory upon which they settled. They began to trade with these natives and to colonize the country. They soon discovered that their influence with the aborigines could be rendered more effective and their trade relations extended by converting them to Christianity. Accordingly, in 1627 George Candidius, under appointment from the Dutch Government, joined the Dutch Company in south Formosa to engage in religious and educational work among the native tribes.

2. THE INHABITANTS OF SOUTH FORMOSA.

In his account of the inhabitants, Candidius describes the natives as a savage and barbarous people, the men tall and robust and the women short and stout. The color of their skin resembled that of the East Indian. The men went about in the summer naked, while the women, upon certain occasions, exhibited no shame in going about in a similar state. Different villages often spoke different dialects and were at continual warfare one with another. The people were as a rule peacefully disposed toward foreigners and often very hospitable. They showed no desire to cultivate their fields further than was neces-

sary to gain a meager subsistence, although their lands were extremely fertile. The women did most of the farming, while the younger men seldom or never engaged in tilling the soil, their only work consisting in hunting and fishing. The older men worked in the fields, but not in the same fields with their wives, until after their fiftieth year, nor did they live with their wives after having attained that age. Adult males, until their fiftieth year, lived in villages, separate from the women, stealing over at night to visit their wives. Although a woman married young, yet it was considered a sin for her to give birth to a child before her 37th year.

The men married after attaining the age of 21, and as a rule married but one wife, although fornication and adultery were not considered sins. According to Candidius, a village had no headman or chief, but was ruled by a set of 12 councilors, chosen from among the male members of the tribe of upward of 40 years of age. Contemporaneous records, however, point to the fact that custom in the different villages varied in this particular, for instances are cited in which villages had their chiefs and headmen. The councilors were in reality little more than police officers, their duties consisting in seeing that the customs and ceremonies of the village were properly observed and that the commands of the priestesses were respected. Theft, murder, manslaughter, and adultery were not punishable by law, but custom decreed that the offended party or his relatives might seek personal revenge by taking possession of certain property of the offender in retribution. For instance, should a man have discovered another in adultery with his wife, he was entitled to take from the offender two or three pigs.

Candidius further states that, although these aborigines were unable to read or write, yet they had a form of religion which had been handed down through successive generations. They acknowledged many gods, among which were two principal ones. Priestesses acted as interpreters for their gods and performed the sacrificial rites. These priestesses also assisted in the burial ceremonies, which were very elaborate and which lasted many days. The bodies of the departed were submitted to a slow process of toasting for a period of nine days, during which time the relatives indulged in much feasting. After three years the skeletons were buried. According to common belief, the soul after death met with either punishment or reward.

In warfare these natives were treacherous and cruel. Their weapons consisted of swords, spears, and shields. They avoided open warfare, preferring to secure by stealth or cunning as many of the heads of the enemy as possible. The securing of a head was an occasion for great rejoicing, and after the flesh was boiled off the skull was preserved as a trophy. Although the member of the tribe who could display the greatest number of these trophies was held in high esteem

by his fellow-tribesmen, yet the only mark of respect recognized by all was that to which one was entitled by virtue of seniority.

These tribes were, according to most writers, of Malay type, and undoubtedly related to tribes inhabiting the Philippines. The Dutch describe them as being superior to the Chinese with whom they came into contact, but these opinions were, without doubt, influenced by a prejudice against the Chinese resident in the island.

3. BEGINNINGS OF DUTCH MISSIONARY WORK.

After Candidius had learned the language of the natives, he applied himself assiduously to the task of bringing them into touch with the doctrines of Christianity. Meanwhile helpers were sent from Holland to assist in the missionary work. All educational work undertaken by the Dutch in Formosa was done in the interests of the Dutch church. Instruction was based upon the catechism, the Lord's prayer, and certain sermons. As the natives were divided into many tribes, no two under the same chief or headman, and as they had no literature or teachers to propagate their creeds, it was deemed a comparatively easy matter to replace their religion by that of Christianity. Naturally schools became a necessity, in order that the people might learn to read and write their own language, that it might serve as a medium for the propagation of the tenets of the Christian faith.

4. SCHOOLS FOR THE ABORIGINES; METHODS OF INSTRUCTION.

It is recorded that a school of 70 boys was opened in the year 1635 under a Dutch instructor who endeavored to teach the natives to read and write their own language in roman letters. By the year 1645 there were schools established in seven or eight different villages. About 600 boys and girls were in attendance in these schools, committing to memory a prescribed catechism, the Lord's prayer, and other religious texts. It appears that but few were taught to write, for in a school of 80 pupils only 17 were being taught to write, in order that they might be trained as native teachers. Attendance in the schools was compulsory, although this was contrary to the wishes of the parents, who preferred that their children be permitted to work in the fields. For this reason it was often necessary to distribute food and clothing among the pupils, in order to compensate for their attendance at school. During one year 471 garments and about 385,000 pounds of rice were distributed among 500 pupils. The Dutch teachers complained that the use of the ferule only tended to encourage the pupils to run away from school; in fact, in the Rev. M. Junius's recommendation that a number of native students be sent to Holland for training as clergymen, one of the reasons he assigned

was that it was difficult to keep the pupils in the schools sufficiently long to make them of any value to the church, while in Holland they might be chastised without fear of their running away. Besides the subjects above mentioned, pupils were also instructed in singing. Schools for adult instruction were maintained, and attendance at church was made compulsory. The Sabbath was observed with strictness. All instruction was carried on in the native dialect, although it was proposed from time to time to introduce the Dutch language into the schools.

The school-teachers were for the most part Dutch ex-soldiers, who after teaching for a short period were elevated to the position and rank of schoolmaster. It appears that a mistake was made in elevating these soldiers to such positions, for the Formosa Consistory itself admitted that little confidence could be reposed in the Dutch schoolmasters. In the council for Formosa's report to the president and councilors of the government of India, in October, 1645, it was stated in criticism of the conduct of the ex-soldier schoolmasters that "the greater number were guilty of drunkenness, fornication, and adultery; in fact, led most scandalous lives, so much so that hardly a fourth came up to our expectations." By 1644 there were 50 trained native school-teachers, who received from the treasury of the company 1 real each a month, in addition to rations of rice which the villagers were in duty bound to contribute. It is said that the majority of these were able to read and write. In 1645 it was deemed wise to decrease the number of native schoolmasters to 17, and to advance their pay fourfold, in order that they might be free to give all of their time to their work, instead of being obliged to devote a portion of it to work in the fields.

5. RULES FOR IMPARTING RELIGIOUS INSTRUCTION.

Up to 1651 the clergy and judiciary were linked together, the latter being subservient to the former. By order of the governor-general and councilors in 1651 the clergymen were discharged of all civil and judicial services, in order that they might devote themselves more uninterruptedly to the conversion of the heathen; but the schoolmasters still remained under the direct control of the clergy and beyond the jurisdiction of the judicial functionaries, which fact led to considerable friction between the civil and ecclesiastical authorities, the former contending that a bad schoolmaster often found shelter and protection under the wings of the clergy, thus evading punishment. In the year 1657, by recommendation of the consistory of Batavia, the consistory in Formosa drew up a set of rules intended to establish a more concise and more uniform method of imparting religious instruction. These rules were as follows:

First. That in the school for adults and young people the following only need be learned by heart, namely, the two well-known catechisms, the smaller con-

taining thirty-nine and the larger sixty-nine questions and answers; the Lord's Prayer; the Creed; the Ten Commandments; the prayers to be used before and after meals, as also the morning and evening prayers. In connection with this it should be observed that in no case whatsoever shall anyone be obliged to learn both catechisms by heart, but only one; adults the lesser one, as they know it only; and the younger natives the larger catechism, as they till now have learned from it and have already committed the greater part of it to memory.

Secondly. That no scholar shall be obliged to learn more than the things which have just been mentioned, and that none of them need be burdened with any explanations or expositions in connection with the larger or the lesser catechism, except it be out of school hours.

Thirdly. That all clergymen, catechists, and schoolmasters shall do what they can to promote the knowledge of saving truth by giving proper instruction from the catechism both to old and to young, not only in the churches and schools, but also in the dwellings of the natives.

6. PROPOSED COLLEGE FOR TRAINING NATIVE CLERGY.

During the same year it was also proposed to establish a college for the training of a select number of native clergymen. In proposing a site for the building, one of the important considerations appears to have been the selecting a place hedged in by the junction of two rivers of "rapid current and great depth," in order that these might act as a barrier to prevent the escape of the students. It was intended to select the thirty prospective students from as many of the different villages as possible. It was desirable that they should be of good character, and possess good memories and quickness of apprehension; be between 10 and 14 years of age, well acquainted with reading and writing, and preferably from among the children of the poor. As to the plan of instruction, it was proposed that they be taught in the Formosan language in the morning and in the Dutch language in the afternoon. For the Dutch language a book written by Comenius, called the "Door or Portal to Language," was recommended. As to the internal management of the seminary, the following rules were proposed by the consistory:

1. That the subdirector shall have all the young people up in the morning before sunrise; see that they properly dress, wash, and comb themselves, and then arrange for morning prayers being read, all present reverently kneeling.

2. That before and after the usual lesson prayers shall be said or read.

3. That at meals—breakfast, dinner, and supper—a blessing shall first be asked and afterwards thanks returned.

4. That while dinner and supper are being partaken of a chapter from the Bible shall be read aloud.

5. That the young people in rotation shall read a chapter during dinner and supper, and observe the same order with the prayers before and after meals and lessons.

6. That no young person shall be allowed to leave the seminary without the special permission of the director.

7. That the subdirector shall not be allowed to give more than a blow with the ferule by way of punishment in case of misbehavior.

8. That the young people who remain out longer than the time permitted shall be punished as the director thinks fit.

9. That every day two monitors shall be appointed from among the young people by turn, whose duty it will be to note those who speak any other language than Dutch during college time, or who do not behave properly, and report their names to the subdirector.

10. That the subdirector shall take special care in having the clothes of the children kept neat and clean, the building itself properly cleansed, and all things looked after that may tend to the advantage and well-being of the institution and its inmates.

Although this institution never became a reality, owing to the impending conflict with the Chinese, yet these proposed regulations serve to show the Dutch methods of dealing with the native pupils after thirty years of experience.

Although thousands did "give their names to Christ," and hundreds were enrolled in the schools as a result of the labors of the Dutch missionaries and teachers, yet it appears that but few understood the meaning of the religious formulæ which they had committed to memory, and that the number who had remained in school sufficiently long to learn to write was comparatively small. The remarkably large attendance at both church and school was in response to aggressive methods and was undoubtedly inspired by fear of the Dutch authorities. But in the light of that day, the methods of the Dutch were not unusually severe.

7. RESULTS OF THE LABORS OF THE DUTCH.

As for results, one must be impressed by the extent of the achievements of these missionaries, especially when one considers the difficulties under which they labored. They were obliged to conquer a half dozen different Malay-Polynesian dialects. They were not free to give their entire attention to ecclesiastical and educational work, for they had come out primarily to serve the Dutch East India Company. This company, owing to lack of funds and scarcity of men, pressed them into service in civil and judicial capacities in addition to their other duties. As soon as the Dutch missionaries and teachers had learned the language and customs of the natives, they became especially useful to the company as collectors of taxes, interpreters, judicial functionaries, and even as tradesmen. Furthermore, they were obliged to serve as pastors to the Dutch colony. It appears that the Dutch company spent something like 20,000 guilders a year on missionary and educational work, and as they zealously guarded their own interests, they made religion and trade go hand in hand, the one serving the other. Furthermore, the clergy were often at the mercy of the caprices of the civil authorities, for the proposals of the consistory were subject to rejection by the Formosan council. There were also external causes which tended to interfere with the labors of the mis-

sionaries, principal among which was the opposition offered by the Japanese resident in the island.

In spite of these difficulties and in spite of their own shortcomings, their thirty-five years' labors among the natives had a beneficent effect. They found the people ignorant of letters and addicted to many evil practices, and they left them a written language and improved social customs. But the rapid influx of Chinese into the island, following the departure of the Dutch, gradually obliterated many of the good effects of the Dutch influence. According to Rev. William Campbell, one of the leading present-day authorities upon matters pertaining to the descendants of these tribes, the practice of abortion appears to have died out entirely. "As to religion, indications were found among several tribes of a belief in evil spirits, and in one supreme spiritual father, but no stated rites seem to be observed." The Reverend Campbell further states that about twenty-five years ago he was told by a Chinese friend in Kagi city of an aboriginal tribe in the east which practiced a kind of baptism of infant children, and the report appeared to him so trustworthy and circumstantial that he was led to conclude that this must be some genuine survival of the missionary work of two hundred and twenty years ago. Of equal interest is the fact, as cited by the same authority, that numerous manuscripts in romanized Formosan lately found in the island are dated about the beginning of the nineteenth century, thus proving that the art of reading and writing was handed down through successive generations by the people themselves. Mr. Ogawa, acting superintendent of education for Formosa, states that there exist to-day descendants of these tribes who still employ the roman characters in writing.

II.—EDUCATION UNDER THE CHINESE.

1. KOXINGA AND HIS SUCCESSOR.

With the downfall of the Ming dynasty in China, a large influx of Ming loyalists into Formosa made possible the passing of the island into the hands of the famous Chinese pirate chieftain, Koxinga, who had scarcely established himself as ruler of Formosa when he died. It is recorded of Cheng Ching, his son and successor, that he ordered schools to be established in every district throughout the island. Examinations for civil positions were part of Cheng Ching's educational programme. As he ruled for but a few years, it is not to be supposed that his educational measures were effectively carried out.

2. CONDITIONS IN FORMOSA WHEN IT BECAME A CHINESE POSSESSION.

When in 1683 China took possession of Formosa, instead of setting up a colonial government she made it an integral part of the Chinese

Empire, and for upward of two centuries governed it as a prefecture of Fukien Province. The influx of Chinese into the island was so rapid that by the middle of the eighteenth century the Chinese population was estimated at more than 1,500,000. This population was made up of discordant elements. The first Chinese to settle in the island were the Hakkas, a courageous and industrious people. They were treated in China as barbarians, hence a number of them had sought refuge in Formosa before the Dutch came to the island. The Fukienese Chinese, who since the beginning of the eighteenth century had made up the bulk of the island's Chinese population, were never peacefully disposed toward the Hakkas. The so-called Ming loyalists, whom the establishment of the Manchu dynasty had driven from the coast of South China to Formosa, never seemed to miss an opportunity to assist in setting up an independent government in the island. Bands of brigands and pirates infested the country during the whole of the Chinese régime. The official classes in the coast towns of China found Formosa a splendid dumping ground for undesirables. The savage tribes inhabiting more than one-half of the island had always to be taken into account. Some of the peaceful lowland tribes, including a number of those who had come under the influence of the Dutch, were gradually absorbed by the Chinese and adopted Chinese customs. But the greater portion of the savage population never, during the whole of the Chinese occupation, relinquished control of the entire eastern half of the island, where they remained a constant menace to the peaceful exploitation of the lands in proximity to their territory. That the Chinese rule had not succeeded in reconciling these discordant elements or in putting down brigandage or piracy, is evidenced by an almost unbroken series of insurrections, rebellions, interclan feuds, and depredations of bands of brigands and pirates during the whole of the Chinese régime.

In the face of these disturbing elements it is not to be expected that much was done in the way of establishing schools and affording the masses opportunities for education. In fact, up to the time that Formosa was made a separate province and placed under the rule of the progressive governor, Liu Ming Chuan, in 1885, the educational administration on the island, as well as the general civil administration, was indeed lax.

The educational problem with which the Chinese administration had to contend naturally divides itself under two heads, namely, (1) education of the Chinese, and (2) education of the aborigines.

3. EDUCATION OF THE CHINESE.

(*a*) OBJECT OF EDUCATION.

The object of education in Formosa, as in China, was to prepare candidates for imperial examinations. As these examinations always

presupposed a knowledge of the Chinese classics and Chinese ancient history, the government and private schools shaped their courses accordingly.

(*b*) SYSTEM OF CONTROL.

The Chinese system placed education under the control of the provincial authorities. In making Formosa a prefecture of Fukien Province the question of furnishing educational facilities to the Chinese was greatly simplified. Local conditions naturally made certain departures from the regular system obtaining in Fukien Province proper inevitable. Being divided from the mainland by an intervening channel 100 to 200 miles in width, it was found to be inconvenient to place the control of educational matters in the island with the governor of Fukien, who was ex officio director of education for his province. At first the taotai of Amoy was made ex officio director of education. In 1728 the inspector of the administration of the island of Formosa added to his other duties that of director of education, but in 1752 the office passed to the control of the taotai of Tainan (Formosa). In 1875 the governor of Fukien established the custom of spending a portion of the spring and autumn of each year in the island, and from that time the duties of director of education devolved upon him.

The system of government education, if it might be called a system, included prefectural, district, and elementary schools. In proportion to the population these were few indeed, and the greater portion of the work done remained for the private school. The efficiency of the system, judged from a Chinese view point, depended upon the character of the local administration. The history of the island, while a prefecture of Fukien Province, shows little evidence of enlightened and public-spirited service on the part of the local officials.

(*c*) ESTABLISHMENT OF PREFECTURAL AND DISTRICT SCHOOLS.[a]

In 1686 the Taiwan-fu Prefectural School, afterwards known as the "Head School of Formosa," was opened, the governor having repaired for that purpose the old district school established by Cheng Ching. This building was in reality a Confucian temple, with two rooms set aside for school purposes. The number of students was limited to 20, and the teacher's salary fixed at 45 taels per year. About the same time there were established two district schools, one in the city of Tainan and the other at Kyuzo (about 8 miles northwest of the present Hozan). The number of students allowed in these two schools was 10 and 15, respectively. The prefectural and district

[a] For a detailed list of schools established during the Chinese régime, see Table 1, page 27. We are not to suppose that all of the schools enumerated in this list were maintained until the coming of the Japanese, for local disturbances were of too frequent occurrence to make such probable.

schools were supported by the house tax and by revenues from adjoining lands belonging to the schools. Repairs and building improvements were met from time to time by subscriptions from official and private sources.

The duties of the teachers were described as follows:

1. To have control of the Temple of Sages connected with the school.

2. Instruction, examination, and promotion of pupils.

3. Inspection of private schools.

In 1725, after a severe rebellion had been put down, Governor Lu Chow issued a proclamation recommending the establishment of free schools throughout the island, contending that they would be of great assistance in teaching the people obedience and in exerting a beneficent influence in checking tendencies to rebellion. Although no substantial improvement resulted from the governor's well-intentioned proclamation, yet its issuance shows a recognition of the possibilities of a general education.

(*d*) THE IMPERIAL EXAMINATIONS.

Probably a still better token of the recognition of the efficacy of learning is shown in the attitude of the authorities in securing for the island proper recognition in the imperial examinations. As a prefecture of Fukien Province, Formosa was entitled to the preliminary examination which was held by the provincial literary chancellor once each year. The successful candidates were entitled to appear for the triennial examination at the provincial capital, Foochow, where, owing to the fact that but a limited number of degrees were to be conferred, the few candidates from Formosa stood a very poor chance among the vast number from all over Fukien Province proper. In 1688 the commander of the army in Formosa, by representations to the Throne, secured for the island the opening of a special list of candidates, whereby one degree was allowed, but in 1692 this special favor was withdrawn. In 1730, as a result of representations from the inspection of education, an imperial decree provided a special list of candidates for the island and one degree. Six years later the number was increased to two. In 1808 the Emperor Chia Cheng conferred upon the residents of Formosa a special favor by extending the number of degrees to three. This favor was the result of overtures made by the governor after a tour of inspection throughout the island, in which he represented that it was due to the patriotic motives of the rich residents of the plains that a volunteer force was raised in Formosa capable of putting down the piratical bands which up to that time had ravaged the coast towns. In all probability the rich merchants were inspired by motives of self-protection rather than patriotism; but this was an easy method of re-

warding them for their services, as the favored sons of these rich residents might thus rise to positions of influence and power. In 1829 the Emperor Tao Kuang, upon a similar pretext, increased the the number of degrees to four. Between the years 1874 and 1894 nine Formosan students received the third degree in the imperial examinations in Peking.

The Emperor Tao Kuang had undoubtedly been greatly impressed by the lawlessness existing in Formosa, for during his reign he ordered that the Sacred Edict (the sixteen moral maxims of the Emperor Kang Hsi) be read upon the 1st and 15th days of each month throughout the towns and the country districts of the island, instead of being read simply in the larger cities, as formerly obtained. He hoped thereby to instill in the minds of the inhabitants obedience and reverence for learning.

It was not until the year 1875 that China gave to Formosa any serious consideration. From that time the governor of Fukien was ordered to reside in the island a certain portion of each year, that he might render to the island more effective service. By 1884 matters in Formosa assumed sufficient importance to entitle the island to a separate provincial administration, and upon Liu Ming Chuan was conferred the honor of being the first governor of Formosa.

(*e*) WORK OF GOVERNOR LIU MING CHUAN.

During the entire history of the Chinese administration in Formosa all that is worthy of the name of education was the work of one man, namely, the enlightened Governor Liu Ming Chuan. In 1885 this progressive official, quite in advance of his colleagues in similar posts in China, inaugurated a system of reforms which bade fair to place Formosa in advance of China proper in administrative measures. Among his reforms was the establishment in Taihoku, the capital city, of a school for western learning. An Englishman, a Dane, and a Chinaman educated abroad were retained as teachers, and modern educational methods substituted for the old fossilized system of instruction. As the wholesome effect of the administration of one progressive official in China is often obliterated by the reactionary measures of a nonprogressive successor, so in this case the good beginnings made by Governor Liu Ming Chuan toward instituting modern education in Formosa came to naught through the indifference of his successor a few years later.

(*f*) PRIVATE SCHOOLS.

As the public and prefectural schools did very little for education, it was the private school upon which in Formosa, as well as in China proper, education really depended. A glance at the list of so-called government schools (Table 1) and their student enrollments will

readily convince one that these schools did not pretend to reach the masses. Accurate statistics as to the number of private schools and the student enrollment in such schools during any period of the Chinese régime are unobtainable. It is to be presumed that there was in Formosa a less proportionate number of children receiving an education than in China proper.

Private schools in Formosa, as in China, were opened in the following ways: (1) Several families or members of a community combined, rented quarters, and hired a teacher; (2) individuals or societies, philanthropically disposed, hired a teacher and opened a school; (3) wealthy individuals retained tutors for their children; (4) a scholar established himself in a village and received pupils for such fees as their families could afford to pay. The private schools aimed either to give a knowledge of reading and writing the characters or to prepare pupils as candidates for the government examinations. Those who attended for the first purpose studied from two to eight years, while those who were destined to prepare for the examinations remained in school for upward of ten years. The course of study included reading from the Chinese classics and the Four Books, writing Chinese characters, composition, and versification.

The pupils had no definite school hours, it being understood that the services of the teacher were to be devoted to teaching from sunrise until sunset. Those retaining a teacher seemed to be bent upon securing as much of his time in actual schoolroom work as the light of day would permit, while those sending children to be instructed were equally inconsiderate in the demands made upon these children. A pupil's daily schedule was something after the following manner:

6 to 7 a. m. Recitation (recite lesson of previous day).
7 to 8.30. Breakfast at home.
8.30 to 10. Read and recite portions of classics while teacher paraphrases.
10 to 12. Writing.
12 to 1.30 p. m. Luncheon at home.
1.30 to 3. Writing.
3 to 4 or 5. Reading.

The more advanced pupils worked by themselves, the teacher acting merely as guide.

The ordinary private school provided for 10 to 20 pupils and was managed by one teacher. There were no classes, each pupil constituting a class by himself. The class room served also as the teacher's private quarters and he was responsible for its upkeep. The room was provided with a tablet to Confucius or an image which was placed at the front. Desks and chairs were furnished by the pupils, who took them away at their departure. The private schools were supported by entrance fees, tuition fees, presents on festival days,

and presents in kind. The entrance fee ranged from 5 cents to 50 cents and was sent to the teacher as a present. The tuition fee was no fixed amount, but varied according to the ability of the parents to pay. This fee increased with the number of years' attendance of the pupil. Ordinarily the fee was about 50 cents a year for new pupils and 75 cents for more advanced students. The presents made upon the four festival occasions were about equal in amount to the entrance present. When the tuition fees were not paid in full, it was the custom to make presents in kind, consisting of vegetables, charcoal, peanut oil, and tea. Thus the income of the private teacher depended upon the number of his pupils and the financial status of their parents. This income ranged from $15 or $20 to $100 a year.

The greater portion of the pupils who attended the private schools dropped their schooling after two or three years of study, the parents being contented if their children had gained a superficial knowledge of the Chinese characters, as this was, in reality, rather serviceable. One of the features of the Chinese school which brought it into favor with the parents was the fact that each pupil was a class unto himself; hence the parents were privileged to utilize the services of their children whenever they wished, as taking them out of school did not interfere with the work of the other pupils. In fact, so long as the teacher received the pupil's tuition fee he was not particularly anxious to encourage regular attendance at school.

It is worthy of note here that neither the public nor private schools made any provision for female education, while the private schools were established only for the Chinese, the savages being entirely dependent upon the government schools especially provided for them.

4. EDUCATION OF THE ABORIGINES.

(*a*) FIRST ATTEMPTS.

A Ming loyalist, Chen Lao Wen, came to Formosa in 1662 to avoid living in China under a Manchu dynasty. For twenty years he lived with the Mekawan savage tribe and taught their children to read and write Chinese, also administering Chinese medical treatment to the elders of the tribe.

It was not until thirty-four years later, 1696, that the Chinese administration in Formosa took up the work of educating the savages. We have already noted the remarkable work done by the Dutch missionaries toward Christianizing the aborigines of southern Formosa. Up to the year 1875 the educational work of the Chinese among the savages was confined to those tribes whose ancestors had been under Dutch influence. In 1696 there was established in the vicinity of Taiwan City by the Taiwan prefect a school for savages.

There was one teacher appointed to this school, and the Three Character Classic and the Four Books were introduced as text-books. The course of study was similar to that pursued in the Chinese private schools—that is, reading and writing the Chinese characters was the main consideration. Food and books were supplied free to the pupils to encourage their remaining in school, and they were provided with calendars that they might become familiar with the Chinese New Year and feast days. In 1728 it was recorded that the condition of the savage children who were brought under the influence of this school had greatly improved by virtue of their Chinese acquisitions.

(*b*) SCHOOLS ESTABLISHED IN 1735.

It was not until the year 1735 that any serious attempts were made to educate any number of savage children. In that year, according to record, about 50 schools were opened among tribes whose ancestors had a century before received instruction from the Dutch. Many of the children, even at that date, had been taught by their parents to write their own language in roman characters. These children naturally found it difficult to familiarize themselves with the Chinese characters, and often used the roman letters to aid them in memorizing the pronunciation. The authorities, fearing that the use of the roman letters might militate against the acquirement of Chinese, actually prohibited their use.

A Chinese scholar was appointed for each of the 50 schools. Trained teachers were unknown under the Chinese system, as it was presumed that any one with the attainments of a scholar was able to impart his knowledge to others. The course of study prescribed for these schools was quite similar to that which obtained among the Chinese. The assistant teacher in the Taiwan Prefectural School was made inspector of savage schools, and it was his duty to report each season upon the progress of savage education. At the end of the year 1736, this inspector reported that "each savage child in these schools is able to read the Four Books and simple poems without any provincialisms, and their writing is proper." This report was undoubtedly too sweeping in its generalizations, yet it is evident that the educational work among the savage children at that time made far more progress than at any other period during the whole of the Chinese régime, with the possible exception of that under Governor Liu Ming Chuan, one hundred and fifty years later. The remarkable progress of savage education in the early half of the eighteenth century was undoubtedly due to the fact that the savage tribes with which the Chinese came into contact were at that time more peacefully disposed toward them than at any subsequent period. The children had voluntarily adopted the Chinese dress and wore the queue.

Like many things Chinese, this educational work among the savage tribes, so well begun in 1735, was destined through the lack of proper attention to deteriorate and lapse. By 1751, its efficiency had been reduced to such an extent that when the Kamaran tribe, near Gilan, north Formosa, came under Chinese influence that year, no efforts were made to establish schools among them. From 1736 to 1875, there appears to have been little or nothing done to extend the education of the savage tribes. Many of the Pepohuans (peaceful savages) had, during this time, through continuous intercourse with the Chinese, gradually become "Chinesed," adopting the Chinese dress, manners, and language. The savage schools in south Formosa lapsed.

(*c*) EDUCATIONAL WORK AMONG THE TRIBES IN THE EAST AND SOUTH.

In 1875 when the opening up of the southern and southeastern portions of Taito Prefecture was undertaken, a plan for the education of the savages of this district was drawn up. A special text-book, Proverbs for the Instruction of Savages, was compiled, and, after inspection by the viceroy of the Liang Min Provinces and the governor of Fukien, adopted. The establishment of schools to carry out this plan marks the first attempt upon the part of the Chinese to educate the "untamed" tribes. The policy of the Chinese administration up to that time had been to regard the eastern half of the island, the portion inhabited by the untamed savage tribes, as beyond the administrative area, and to prohibit their own people from crossing the border line separating the savage territory from the rest of the island. Taito Prefecture extended along the greater portion of the east coast, and contained about 51,000 savages, or one-half of the entire savage population. The tribes in the southern and southeastern parts of the prefecture belonged to the nonheadhunter groups, and thus were less dangerous than those farther north. It was planned to establish in this district 44 schools to afford proper facilities for the instruction of these savages, but only 7 were actually opened, 1 each at Pian, Baranyosha, Bakyseki, Kyaku, Suibi, Bashisho, and Karenko. These schools aimed to teach reading and writing. The Proverbs for the Instruction of Savages was adopted as a text-book for reading. After two years of instruction the majority of the pupils attending these schools were, according to report, able to understand and speak Formosan Chinese. Owing to an increasing lack of interest on the part of both teachers and pupils, and to a too frequent recourse to the infliction of corporal punishment, the attendance in these schools gradually dwindled, and by 1886 they existed in name only.

In 1876 the savage district in Koshun, the southernmost district in the island, was opened, and Chinese were induced by grants of funds

to settle therein for agricultural purposes. District schools were opened here, and for the first time in the history of the island Chinese and savage children were educated together. Schools were established as follows:

Location of school.	Attendance.	
	Chinese.	Savages.
Bun Ri Ho	2	8
Ko-to-zan	0	12
Sha Ma Ri	9	7
Rin ran	0	13
Korin	0	3
Shijukei	0	7
Total	11	50

For each savage child in attendance 500 cash [a] a month were allowed for food and stationery. The course of study was similar to that prescribed for the Taito schools, and the final results were also much the same, for by 1891 the attendance had dwindled to 13.

(*d*) SAVAGE EDUCATION UNDER GOVERNOR MING CHUAN.

In 1886, shortly after Formosa had become a separate province of the Chinese Empire, the enlightened governor, Liu Ming Chuan, established a department for the control of the training of savages and the cultivation of their territory. Of particular interest is the school which this department established among the Namakama tribe of the Tsou group in Nanto Prefecture. This school was located at the beginning of a road which had been opened in this prefecture, through the savage country to the east coast, this being the only road that was ever opened through the savage territory in central Formosa. This school was supposed to be the forerunner of others to be built along the road directly to the east coast, and it was hoped by running this line of schools through the heart of the savage territory that the tribes in that region would gradually be brought under Chinese influence. The idea was without doubt an excellent one and worthy the progressive attitude of the enlightened governor. But Chinese educational methods were not adapted to an alien and savage race, and when the Cantonese teacher in charge of the school attempted to instill into the minds of his pupils a respect for Chinese learning by free use of the rod, he soon found himself obliged to resign because of the nonattendance of his pupils.

In the Gilan district (northeast Formosa) a number of the Kiloh tribe of the Atayal group of head-hunters were, in 1889, induced by the Chinese authorities to take up their abode in the vicinity of Getsuibi Hill, where opportunities for education and training could be accorded them. Owing to the prevalence of disease among this tribe in their new location, they became superstitious and returned to their old home. A second worthy project thus ended in failure.

[a] 1 cash=1 to 1.4 mills.

Governor Liu's most elaborate scheme for the education and civilization of the savages was contained in a proposition to found in Taihoku City a school for the instruction of the children of the head men of the various savage tribes. It was proposed to select the more intelligent children of the savage chieftains and educate them in the Chinese language and in the Chinese manners and customs; in a word, to mold them into Chinese. After having accomplished this, they were to be returned to their respective tribes, and in course of time succeed their fathers as head men, when their influence would extend throughout the tribes and result in civilizing, to some extent at least, their fellow tribesmen. This scheme also involved the training of a certain number of savages as Chinese interpreters to take the places of the incompetent Chinese occupying those positions. Undoubtedly the latter idea was a step in the right direction, for the Chinese who had acquired a sufficient knowledge of the savage dialects to act as interpreters were a notoriously corrupt class, and used their positions to extort from the savages as much as possible.

According to these proposals, a school was opened in Taihoku in March, 1888, with 20 pupils selected from among the sons of the head men of the various tribes of the Atayal group in North Formosa. A year later 10 more pupils were added to this number. The teaching staff in this school consisted of one head teacher, who received a salary of $15 a month, and three assistants, each of whom received $6 a month. Added to this staff there was one interpreter. The students ranged from 10 to 17 years of age. Their course of study was quite similar to that of the ordinary private school, and included the following subjects: Chinese reading and writing; conversational lessons in the native dialect, as well as in Mandarin, the former in order that they might not forget their own language; versification and composition, for the advanced pupils. The books used were the Three Character Classic, the Four Books, and the Five Ceremonial Books. The children were all obliged to dress in Chinese clothes, wear Chinese hats, shoes, and queues, and eat Chinese food. It is said that they did not take kindly to the wearing of the queue. The teachers were obliged to instruct them in Chinese manners and customs, and to escort them every three days on journeys about the city in order that they might become familiar with the habits and customs of the Chinese people. The pupils were allowed 4 cents a day for food and 5 cents a month for stationery. Prizes not exceeding in amount 15 cents a month were given for meritorious work. Living quarters were provided for the pupils and a cook and coolie attended them. In 1891 the first graduates were sent out from the school. During the same year Governor Liu resigned his post, and his successor, not in sympathy with his progressive measures, refused to support the school, and the pupils were obliged to return to their savage homes, where they discarded their Chinese dress, queues, and

manners, and proceeded promptly to forget all that had been taught them.

Although Governor Liu's experiment in winning the savage tribes to Chinese influence deserves naught but words of praise for the spirit in which it was undertaken and for the thorough manner in which it was carried out, especially when we contrast this work with the shabby attempts of his predecessors toward bringing a savage population under Chinese control, yet it must be conceded that he was making a dreadful mistake in presuming to saddle upon these savage children an education and training which was out of all harmony with their native surroundings and could scarcely have had any other effect than to alienate them from the members of their respective tribes. The entire educational system of the Chinese was based upon the imperial examinations for its objective point. Take away the objective point and the system has little or nothing to recommend it. This is doubly apparent when an attempt it made to fit the system to an alien people. Governor Liu is hardly to be blamed for this. During his time China had not yet come to recognize the futility of her antiquated methods of education.

5. SUMMARY OF EDUCATION UNDER THE CHINESE.

By way of summary, we may say for the Chinese educational administration in Formosa that, while it appears that those in authority generally recognized the fact that education might do much to inculcate in the minds and hearts of the people obedience and respect for learning, there was a universal mistaking of instruction for education. This fact was as true in China as in Formosa, hence it carried with it no distinguishing traits by which we may contrast education under the Chinese in Formosa with that under the Chinese in China. But there did exist in Formosa conditions which militated against progress in educational work of any sort. The discordant elements, the local disturbances, the constant presence of undesirable characters, and the political isolation from China proper, have all been touched upon as forces combining to make unfavorable conditions for a strong administration in educational matters and need no further comment here.

The only thing which seems to have kept the spark of educational effort burning in Formosa during the whole of the two centuries of Chinese rule was the Government imperial examinations, which nominally offered much, but in reality offered little or nothing, although they did result in impressing upon the minds of the masses a sense of the exalted position of the scholar, and undoubtedly kept private education at a higher standard than would have obtained otherwise.

The name of Governor Liu Ming Chuan might well be engraven upon tablets of stone in commemoration of his work in the cause of

education in Formosa, when we contrast his work with that done by his fellow-countrymen. His attempts at introducing into Formosa western schools and western education at a time when the Chinese Empire had manifested but a spasmodic sympathy toward institutions of western learning will always mark him as one of China's more enlightened leaders, especially when it is considered that his progressive measures were in reality opposed by those upon whom he had to depend for their execution. His efforts toward solving the savage problem by educating the sons of tribal head men in Chinese manners and customs and molding them into a Chinese people that they might return to their tribes and in turn civilize them, are deserving of commendation for their sincerity of purpose. Although he erred in misjudging the adaptability of the Chinese civilization of his day to an alien and savage race, yet the fact remains that he did more toward opening up the savage territory and bringing the savages into closer communication with the Chinese than any of his predecessors.

TABLE 1.—*Public schools established during the Chinese régime.*

Location.	Year established.	Pupils.	Teachers.	How supported.
1. Tainan	1686	20	2	Subscriptions and property belonging to school.
2. Tainan	1686	10	2	Do.
3. Anping	1686	15	2	House tax and school property.
4. Tainan	1705	24	2	Do.
5. Kagi	1707	10	2	Local revenues and properties belonging to school.
6. Ensuiko	1708	Unknown.	1	Do.
7. Tainan	1721	94	2	Contributions.
8. Tainan	1727	Unknown.	2	Government.
9. Shoka	1727	15	2	Do.
10. Shoka	1746	Unknown.	1	Properties of school.
11. Gilan	1753	17	1	Do.
12. Toroku	1754	Unknown.	1	Do.
13. Hozan	1755	Not fixed.	2	Do.
14. Kagi	1760	Unknown.	1	Do.
15. Pescadores	1767	Unknown.	2	Properties of school, contributions, and subsidy from district officc.
16. Shinchiku	1782	Unknown.	2	Properties of school.
17. Kagi	1821–51	Unknown.	1	Do.
18. Shinchiku	1825	10	2	Unknown.
19. Banka	1848	Unknown.	1	Government.
20. Kagi	1868	Unknown.	1	Properties of school.
21. Banka	1880	4	1	Government.
22. Taihoku	1881	20	2	Do.
23. Taihoku	1881	Unknown.	2	Properties of school.
24. Horisha	[a]1884	.....	.....	
25. Shinshin	1883	Unknown.	Unknown.	
26. Tainan	1887	80	2	Do.
27. Taihoku	1887	.....	2 foreigners and several Chinese.	Government.
28. Bioritsu	1888	Unknown.	1	Unknown.
29. Taichu	1890	Unknown.	Unknown.	Partly by Government.
30. Taichu	1890	20	2	Unknown.
31. Taitotei	1891	Unknown.	1 (a Dane).	Government.
32. Taihoku	1894	Unknown.	Unknown.	Unknown.
33. Kelung	1894	Unknown.	Unknown.	From certain tax funds.

[a] School not completed.

NOTE.—Nos. 1, 2, 5, 9, 18, and 21 are district schools. No. 27 is the school for western learning. No. 31 is a school designed for training telegraph operators.

TABLE 2.—*Private and quasi-public schools established during the Chinese régime.*

District.	Private schools.	Quasi-public schools.	Total.
Anping (Tainan)	.....	.....	22
Hozan	226	6	232
Kagi	8	1	9
Pescadores	2	2	4
Taiwan (Taichu)	3	1	4
Shoka	12	8	20
Toroku	8	2	10
Bioritsu	.....	4	4
Horisha[a]	.....	[b]26	26
Tamsui	1	4	5
Shinchiku	.....	8	8
Kelung	1	.....	1
Total	.....	.....	345

[a] For savages. [b] Estimated, 1876.

TABLE 3.—*Schools for savages established by the Chinese.*

Date of establishment.	Location.	Tribe or group.	Teachers.	Subjects taught.	Text-books used.
1682	.....	Mekawam	1	Reading and writing.	Chinese classics.
1696	South Formosa (Tainan and Hozan).	Same as came under influence of Dutch.	1	.....do	Do.
1735	Shora, Kagi, Ensuiko, Koroku, Shinchichu.	.....do	50	....do	The Four Books and simple poems.
1875	Traito Prefecture, along east coast.	Amis, Paiwan	7	.....do	Proverbs for instruction of savages.
1876	Koshun	Payuma	16	.....do	Do.
1887	Nanto	Kamakama	1	.....do	Classics.
1888	Gilan	Keiloh (Atayal)	1	.....do	
1888	Taihoku city	Atayal tribes	4	Versification, composition, and conversation.	Do.

NOTES.—The school established in 1862 was a private institution, all others being Government schools.

As a rule there was but one teacher to a school.

The student enrollments in the above schools are for the most part unknown; however, in the case of the Koshun schools there were 61 pupils enrolled; in the Nanto school, 13 enrolled; in the Taihoku city school, 30 enrolled.

III.—EDUCATION UNDER THE JAPANESE.

1. STATUS OF EDUCATION IN JAPAN.

When Japan in 1895 took possession of the island of Formosa 65.4 per cent of her children of school age were under instruction. Her national school system, established in 1870, had by the year 1895 succeeded in enrolling so great a proportion of her children. The Emperor's decree of 1871, "It is intended that henceforth education shall be so diffused that there may not be a village with an ignorant family nor a family with an ignorant member," is in Japan well on the way to realization, for returns for the year 1906 show 97 per cent of the

boys and 91 per cent of the girls of school age under instruction. We are now to note the extent to which this decree is to be interpreted as embracing her first colonial possession.

2. CONDITIONS IN FORMOSA.

In June, 1895, when Japan took formal possession of Formosa, she found conditions in the island distinctly unfavorable to an immediate peaceful occupation. At that time the native (Chinese) population numbered about 2,600,000. There were also 100,000 aborigines, who occupied the mountainous eastern half of the island. As mentioned in the previous section, the Chinese had never succeeded during the two centuries of their occupation in effectively pacifying the island. When the Japanese made an effort to take possession they were met on all sides by armed opposition, and were obliged to carry on actual warfare against a rebel population.

3. ESTABLISHMENT OF AN EDUCATIONAL SYSTEM.

Within six weeks from the date of the formal cession of Formosa to Japan, and three months before the occupation of the island had been completed, the department of education for Formosa was established at Shirin, a small town in the vicinity of the capital city and an old center of learning under the Chinese régime. A few days later a language school for the training of teachers was opened under the instruction of the educational staff, and 20 native Chinese were enrolled as students. After three months' study, the progress made by these students had been so rapid as to warrant their being sent out as teachers in the elementary schools. In January, 1896, Shirin was attacked by rebels, six Japanese on the educational staff were killed, and the records and books of the department of education destroyed. Temporary headquarters for the department were established in Tokyo, and in March of the same year moved back to Shirin. The language school was again opened. Naturally the greatest difficulty with which the educational authorities had at first to contend was the lack of sufficient educated Japanese speaking Chinese and Chinese speaking Japanese to carry on the work of teaching a people who spoke but Chinese. On the 13th of April, 1896, Mr. Izawa, director of education for Formosa, brought from Japan 45 teachers of elementary schools and placed them in the Shirin training school, from which, after a special course of three months, they were sent out as teachers in the native schools. Simultaneously with the training of these Japanese teachers in Shirin, a number of educated natives had been sent to Tokyo for the study of Japanese.

In April, 1896, when the civil administration superseded the military rule, the department of education was transferred to the

offices of the civil administration in Taihoku City. Until July, 1898, the entire educational work in the island was under the direct control and supervision of the Formosan government, and all expenditures were met from the government funds. From that time forth it was decided that the expenses of the public schools should be borne by local taxes, and that such schools should only be established in those districts in which provision was first made for their support. This rule applied only to the public schools; that is, the elementary schools for the natives (Chinese). As we shall see later, special provision is made for elementary schools for the Japanese and for secondary schools. Before July, 1898, schools had been established in 15 districts, as follows: Kelung, Tamsui, Taihoku, Shinchiku, Bioritsu, Taichu, Horisha, Rokko, Unrin, Kagi, Tainan, Hozan, Koshum, Taito, and the Pescadores. In these schools there were enrolled 1,606 pupils under 72 teachers; 65 of the latter were Japanese. The Japanese language had been made the principal subject of study, for the idea of assimilating the native population was the predominant idea in educational work up to that time.

It might thus be said that the preliminary work in establishing a school system required three years. The system as established in July, 1898, is, with but a few subsequent alterations, the same as that now in vogue. The position which the administration of educational affairs occupies in the civil administration is set forth in the following plan:

The governor-general nominally occupies a position in educational administration analogous to that of the minister of education in Japan. In reality, however, he delegates the greater portion of his functions in this field to the educational section of the bureau of general affairs of the civil administration. The educational section has, however, no jurisdiction, delegated or otherwise, over the medical school, the industrial sugar school, or the agricultural schools, special provision being made for these institutions. The educational system provides three distinct classes of public schools—one for the education of the natives (Chinese), one for the Japanese, and one for the aborigines. That for the education of the natives includes local elementary schools and government secondary and special schools; that for the education of the Japanese includes government elementary, secondary, and special schools; that for the education of the aborigines local elementary schools only. Besides the schools provided for by this system, there exist also a number of private schools. The maintenance of all government schools is provided for in each annual budget of the civil administration of the island, while that of all local schools is defrayed by the local districts.

4. CENSUS RETURNS HAVING TO DO WITH EDUCATION.

According to the census returns for the year 1905 the population in the island was as follows:

Nationality.	Males.	Females.	Total.
Natives (Chinese)	1,558,420	1,357,564	2,915,984
Japanese	32,064	21,304	53,368
Aborigines	57,323	55,872	113,195
Total	1,647,807	1,434,740	3,082,547

The returns for the children of school age were as follows:

Nationality.	Boys.	Girls.	Total.
Natives	321,871	266,915	588,786
Japanese	2,079	1,749	3,828
Aborigines	.....	.....	a17,000
Total	.....	.....	609,614

a Approximately.

The number of children of school age under elementary instruction during the year 1906 was as follows:

Nationality.	Public schools.			Private schools.			Public and private (both sexes.)
	Boys.	Girls.	Total.	Boys.	Girls.	Total.	
Natives (Chinese)	27,862	3,961	31,823	19,584	331	19,915	51,738
Japanese	1,684	1,601	3,285	281	.....	281	3,566
Aborigines	996	92	1,088	.....	.....	.....	1,088
Total	30,536	5,654	36,190	19,865	331	20,196	56,392

Thus 5.5 per cent of the native (Chinese) children of school age were during the year 1905 enrolled in public elementary schools, and 3.4 per cent in private schools, or about 9 per cent under instruction. Of the Japanese children of school age, 86 per cent were in Government elementary schools and 7 per cent in private schools, or 93 per cent under instruction. Of the children of the aborigines, about 6 per cent were under instruction during that year.

5. SCHOOLS FOR NATIVES.

The term "native" is applied to the Chinese population. As the natives represent about 95 per cent of the island's total population, the question of their education is of prime importance. The system of native public schools comprises local schools for elementary education, and Government schools for advanced instruction. In addition to these there are a number of private schools.

(*a*) ELEMENTARY PUBLIC SCHOOLS.

Administration, establishment, and maintenance.—For administrative purposes the island of Formosa is divided into twenty prefectures. The public schools are under the control of the local prefects, subject to instructions from the governor-general. Each prefect appoints a superintendent of education for his respective prefecture. As no administrative positions under the Formosa government can be held by natives, both the prefect and the superintendent of education must be Japanese. For each school in his prefecture the prefect appoints an educational committee, consisting of not less than three nor more than nine members, chosen from among the influential natives resident in the district in which the school is located. It is the duty of this committee to assist the prefect and the superintendent of education in matters pertaining to the school, and, when called upon to do so, to give its opinion upon matters relating to the attendance and selection of pupils, equipment of the school, and estimates for the school budget. This committee also collects school moneys and assists in financing the school.

The establishment, consolidation, and abolition of public schools are made by application from the natives resident in the district concerned, through the prefect to the governor-general. In the application for the establishment of a public school, the amount subscribed by the property holders must be stated. This amount must be equivalent to nine-tenths of the cost of establishing the proposed school before the petition may be granted. The prefect reports to the governor-general the circumstances and conditions surrounding the support of a school in the district concerned, and recommends certain action. The governor-general is at liberty to reject or accept the application. Generally speaking, no school is established unless an enrollment of at least 60 pupils can be guaranteed.

The expenses for the maintenance of public schools are met from the revenues accruing from certain lands belonging to the schools,[a] from contributions, tuition fees, and special tax levies. Tax levies are assessed against the property owners of the district in which any school is located at a rate fixed by the governor-general. This rate varies in different districts. In the case of the Banka public school the Government pays the teachers' salaries and traveling expenses, while in all other cases these items are met from the local revenues. Tuition fees are assessed at a rate not less than 25 cents or more than $1 a year a pupil, the amount in each district being determined by the local prefect. Nonresidents may be assessed an extra fee. The items of expenditure for education for the year 1906 are given on page 62.

[a] During the Chinese régime, the expenses for the maintenance of public schools were met in a great measure from the revenues of farm lands belonging to the schools. These lands have remained public property, and thus are in many cases available for educational purposes at present.

THE SHIRIN PUBLIC SCHOOL.

This is without doubt the best country public school in the Island. It is located in the center of a fertile plain which is in rice. This school has an enrollment of about 200 boys and 75 girls.

Buildings and equipments.—Instead of the damp, dingy structure crowded into a densely populated Chinese village, which during the Chinese régime served the purpose of a school, we find the public school of to-day a well-constructed red brick building, properly ventilated and lighted, and located on an open piece of ground surrounded by playgrounds and athletic fields. Wherever possible the schoolhouse is located without the limits of the village and surrounded by open fields. The schoolhouses which are gradually springing up in the native villages throughout the island are modern up-to-date structures. Nor are they small, for the ordinary country school is planned to accommodate from 200 to 300 pupils, and contains from five to eight class rooms. Formosa is well populated, as the civilized half of the island contains 400 people to the square mile, hence schoolhouses must be built to accommodate large numbers of pupils. One of the particularly commendable features in regard to the establishment of a public school is the fact that ample facilities for playgrounds, athletic fields, and gardens are provided. Many of the country schools are equipped with tennis courts and out-door gymnastic apparatus. The most recently constructed public school is that located at Banka, a suburb of the capital city. In planning the construction of this school, the authorities have had the benefit of twelve years experience in public school construction, hence we find represented here the latest ideas in that direction. Like all other schools in the island, this institution is a group of one-story buildings, which cost $30,000, and is arranged to accommodate 800 pupils.

Public school buildings are often utilized for social purposes, for public meetings, and as barracks for Government troops. The policy of the Government is gradually to extend the building of public schools as fast as the people are able to pay for them. At present, the Government grants a subsidy equal to one-tenth of the cost of construction. A public schoolhouse is distinctly an ornament to the village to which it belongs; in fact, one wonders how it is possible to raise sufficient money for its construction from among a people who, to judge by appearances, seem to have little or nothing. The character of the public school building erected in any district is determined by the amount of the subscriptions from the residents of the district. In the country districts the cost of the buildings ranges from $500 to $6,000. There are at present in the island 180 public schools and 29 branch schools for the elementary education of natives.

Teachers.—In the Government regulations it is stated that the public schools aim to give moral culture and practical knowledge to the native pupils in such a manner that their character may be molded into that of the nation and that they may acquire the national language (Japanese). The administration has in view the gradual supplanting of Chinese by Japanese as the language of the island, and

the aim of the educational authorities is gradually to mold the native child into a loyal Japanese subject. As 95 per cent of the island's population is Chinese, it is quite apparent that the administration has taken upon itself no small task.

In this connection the question of securing teachers for the public schools becomes one of prime importance. The old Chinese idea that any person who had been under instruction for a certain number of years could in turn instruct others does not obtain with the Japanese. In Formosa, as in Japan, those appointed to the position of teacher must have had a special training in schools provided for that purpose. There are, however, in Formosa a number of hired assistants, formerly teachers in private schools who have not graduated from a normal course, but these are being gradually displaced by graduates from the normal department of the Language School. Statistics for the year 1906 show that there were 392 Japanese and 470 native teachers in the public schools. The head teachers are Japanese, and while Japanese occupy also many of the subordinate positions, the educational authorities are making an effort to fill as many as possible of these latter positions with native teachers. The statistics for the year 1901 show 246 Japanese and 255 native teachers; these figures contrasted with those for the year 1906 show a substantial increase in the proportion of native teachers.

When teachers are desired for a new school the prefect applies to the educational section, which secures from the Language School a list of possible candidates with their recommendations. This list is forwarded to the prefect, who recommends to the governor-general a certain person for appointment as head teacher. The head teacher in turn recommends the appointment of certain assistants.

The native teacher can be secured at less than one-third the cost of the Japanese teacher, for the latter receives, upon an average, a salary of $300 a year in addition to living quarters, while the former receives about $8 a month and provides his own living quarters. The pay of the Japanese teacher in Formosa is very much higher than that received by his colleague in Japan. The women teachers, of whom there were in 1906 48 Japanese and 38 native, are paid from $10 to $20 a month for the Japanese and from $3 to $10 a month for the natives. The salary paid to the native male teacher is at present too low to induce the better class of young men to remain with the work for many years. Many of these after completing their three years' agreement take positions in other fields at higher pay.

The Japanese and native teachers appear to work well together. Naturally the Japanese teacher is handicapped by reason of his superficial knowledge of the native dialect and native customs, while on the other hand the native teacher finds it difficult to adapt himself to modern class-room methods. But these difficulties succumb to

experience, so that it is only a matter of time until they will have entirely disappeared. The efficiency of the native teacher, though not equal to that of the Japanese, is gradually improving. Many facilities are afforded teachers for advanced study. Summer schools for advanced training are opened each year in Taihoku City, and arrangements are made whereby the Government defrays the traveling expenses of teachers in attendance at these sessions in such a manner as to permit each teacher to attend once every three years. Besides summer schools, teachers' conferences are held once each month in each prefecture, the local prefect presiding.

The number of hours a day devoted to teaching averages five and the number of pupils to the class averages sixty. But the teacher's labors are not necessarily finished with his class-room work. He is often obliged to go among the parents of the children and exert his efforts toward keeping the pupils in regular attendance at school. This, as will be noted later, is no small task. If a principal is asked what he finds to be his greatest difficulty in educating the native, he will invariably reply that it is the indifference of the parents.

Course of study and text-books.—The regular prescribed course of study embraces six years. This course, which is fairly uniform throughout the island, includes the following branches: Morals, national language, arithmetic, Chinese composition, music, and gymnastics. Sewing is added for the girls, and agriculture, commerce, or manual training may be added for the boys. Table 4 shows the number of hours given to each branch and subject. By examining this tabulation the prominent position assigned to the study of Japanese becomes apparent. As already stated, it is the desire of the authorities to make Japanese the language of the island. The study of Chinese is carried no further than is necessary, for the allotment of four or five hours a week to this subject is only in response to a demand on the part of the parents that Chinese be studied in the schools to which they send their children. Another branch which appears throughout the programme is that termed "morals." In all of the elementary schools of Japan morals is a prescribed branch of study.[a] The educational authorities in Formosa contend that the

[a] Instruction in morals in the schools of Japan is based on the imperial Rescript on Education issued in 1890. The following English version was made by a number of scholars convoked especially for the purpose by the Japanese educational department:

THE DEPARTMENT OF EDUCATION, JAPAN,
June, 40th year of Meiji (1907).

Know ye, Our subjects:

Our Imperial Ancestors have founded Our Empire on a basis broad and everlasting and have deeply and firmly implanted virtue; Our subjects ever united in loyalty and filial piety have from generation to generation illustrated the beauty thereof. This is the glory of the fundamental character of Our Empire, and herein also lies the source of Our education. Ye, Our subjects, be filial to your parents, affectionate to your brothers and sisters; as husbands and wives be harmonious, as friends true; bear yourselves in modesty and moderation; extend your benevolence to all; pursue learning and cultivate arts, and thereby develop intellectual faculties and perfect moral powers; furthermore, advance public good and promote common interests; always respect the Constitution and observe the laws; should emergency arise, offer yourselves courageously to the State; and thus guard and maintain the prosperity of Our Imperial Throne coeval with heaven and earth.

Chinese pupil is particularly in need of instruction in morals, and that the teachers find it very difficult to teach it effectively. The surroundings of the native child in the island have, without doubt, been most unfavorable, and it is not strange that the standard of morals is said to be low among them.

TABLE 4.—*Study schedule for public elementary schools for the native Chinese.*

Branch of study.	First year.		Second year.	
	Hours per week.	Subject or topic.	Hours per week.	Subject or topic.
Morals	2	Principles of morality	2	Same as first year.
Japanese	9	Story telling, reading, composition, writing.	12	Do.
Arithmetic	4	Simple operations to 20	4	Same, but up to 100.
Chinese	5	Simple words, phrases, and sentences.	5	Same as first year.
Gymnastics	2	Physical culture and play	2	Do.
Music[a]	1	Singing	1	Do.
Sewing	0			
Total	23		26	

Branch of study.	Third year.		Fourth year.	
	Hours per week.	Subject or topic.	Hours per week.	Subject or topic.
Morals	2	Same as first year	2	Same as first year.
Japanese	13	do	13	Do.
Arithmetic	5	Through division	5	Decimals and fractions.
Chinese	[b]5	Reading and composition	[b]4	Same as third year.
Gymnastics	2	Physical culture	2	Do.
Music	1	Same as first year	1	Same as first year.
Sewing	3	Use of needle	3	Simple sewing.
Total	31		30	

Branch of study.	Fifth year.		Sixth year.	
	Hours per week.	Subject or topic.	Hours per week.	Subject or topic.
Morals	2	Principles of morality	2	Same as fifth year.
Japanese	14	Reading, writing, composition.	14	Do.
Arithmetic	5	Decimals and fractions	5	Do.
Chinese	[c]4	Reading and composition	4	Do.
Gymnastics	2	Physical culture	2	Do.
Music[d]	1	Singing	1	Do.
Sewing[e]	4	Making and repairing clothes.	4	Do.
Manual training[f]		Simple processes		Do.
Agriculture[f]		Elementary work		Do.
Commerce[f]		Elements		Do.
Total	28		28	

So shall ye not only be Our good and faithful subjects, but render illustrious the best traditions of your forefathers.

The Way here set forth is indeed the teaching bequeathed by Our Imperial Ancestors, to be observed alike by Their Descendants and the subjects, infallible for all ages and true in all places. It is Our wish to lay it to heart in all reverence, in common with you, Our subjects, that we may all thus attain to the same virtue.

The 30th day of the 10th month of the 23rd year of Meiji.

(Imperial Sign Manual. Imperial Seal.)

[a] Music increased at teacher's discretion.

[b] In the third and fourth years girls are given but two hours a week in Chinese.

[c] In the fifth year girls are given but two hours a week in Chinese.

[d] Music increased at discretion of teacher.

[e] Sewing is given to girls only, and the time devoted to it is deducted from the study of language.

[f] Manual training, agriculture, and commerce given at discretion of teachers in charge of schools.

The Chinese parent finds it difficult to understand the usefulness of music and physical culture in the school curriculum, and if he had his way he would have more Chinese and less music and gymnastics. But one has only to visit a class of native pupils engaged in their singing exercises to appreciate the usefulness of the subject as a part of the daily programme. The Chinese child is fond of singing and has a better ear for music than the Japanese lad. He enters into his singing with a spirit of enjoyment far in excess of that which he exhibits in any of his other work, and for this reason much good language instruction may be imparted through this medium. Language is also taught by means of object lessons. Upon one of the writer's visits to a public school he found a teacher of second-year pupils holding before his class a live fish and drilling them in words and phrases descriptive of the object. Pictorial charts are likewise used in language instruction. These methods are a pleasing contrast to the old Chinese idea of forcing attention by a liberal use of the rod.

As for physical culture and gymnastics, three hours a week are given to the former, and school yards are provided with tennis courts, playgrounds, and gymnastic apparatus for the use of the pupils. The old Chinese system did not recognize the necessity for physical culture, as the ideal of the Chinese scholar was opposed to physical exertion of any kind. When the Japanese educational authorities placed physical culture in the public school curriculum they were criticised by the Chinese parent, who contended that it was done with the intention of training his children as soldiers for the Japanese army. Hence it was necessary to avoid giving any work in physical culture which bore the semblance of military drill. One of the admirable features of the exercises in physical culture is that they are given out of doors, at least so far as the weather will permit. The native child likes the work and is certainly benefited by it. Every one familiar with the Chinese knows his tendency to consumption and lung troubles. The teachers in the public schools attest the fact that the pupils are profiting much from the work in physical culture, for their general health is improved and they have become more active in their class-room work as a result.

Upon one of the writer's visits to a public school he found a class of sixth-grade pupils busily engaged in unraveling the apparently tangled skeins of world trade routes as depicted upon a commercial map. The Japanese instructor was making an effort to impress upon the minds of the pupils the position occupied by Formosa in the markets of trade.

To a westerner one of the peculiarities of the methods used in the East in the study of arithmetic is the place assigned to the abacus, or counting board. All pupils in arithmetic learn to count upon this instrument, and those familiar with the Chinese or Japanese account-

ant can bear witness to the remarkable speed and accuracy of his methods involving the use of the abacus, which to a foreigner is an incumbrance. A number of public schools include in their courses of study elementary agriculture and commerce and a certain amount of manual training. During the year 1906, 26 schools with 493 pupils included agriculture in their curricula; 3 schools with 333 pupils included courses in manual training; 2 schools with 35 pupils included the elements of commerce. But the work in these courses is still in an experimental state, and the department of education will be obliged to improve and extend it before it will amount to anything.

As for text-books, among the boards under special organization one has to do with the compilation of text-books. The public schools have been furnished with the products of the work of this board, which are sold to the pupils at a price which simply covers the cost of printing. The series of readers includes illustrated primers and more advanced books containing much the same kind of material as that found in Western readers, with the exception that the reading matter has to do with things Chinese and Japanese as well as things Western. For the study of Chinese, in the place of the abstruse Chinese classic, the illustrated primers and readers which have been introduced deal with various phases of Chinese life, and must be infinitely more interesting to the Chinese child. However, as the Chinese classic is being rapidly ousted from the elementary schools of China, it is scarcely fair any longer to contrast the Japanese introduction of simple readers with the Chinese use of the ancient Three Character Classic. The Japanese readers provided by the board include ten books arranged upon a progressive basis. The Chinese readers number six. The Sixth Reader, which is used for the fourth and fifth year pupils, contains forty lessons, the majority of which contain information dealing with Formosa and Japan. An interesting feature connected with the lessons in the Japanese primer is that many of them deal with matters pertaining to personal cleanliness and to the importance of bathing. In passing, it might be said that the Japanese authorities are doing much to encourage cleanliness on the part of a people who are, in this respect, the direct antithesis of themselves. Foreign residents who have lived in Formosa for some years notice, on the part of the natives, considerable improvement in cleanliness, which improvement is due to the labors of the Japanese.

Pupils.—Pupils to be admitted to the public schools must be at least 7 and not more than 20 years of age. Of the 31,823 Chinese children enrolled in the elementary public schools during the year 1906, 10,318 were between the ages of 7 and 10, 11,929 between the ages of 10 and 13, 7,102 between the ages of 13 and 16, and 2,474 upwards of 16. According to grades, 14,484 were enrolled in the first

grade, 7,643 in the second, 4,528 in the third, 2,751 in the fourth, 1,577 in the fifth, and 815 in the sixth. The average daily attendance of the pupils for 1906 was 66 per cent of the enrollment, an increase of 1 per cent over the figures for the previous year. Contrasted with this, it is of interest to note that the average daily attendance of the Japanese in elementary schools for the same year was 90 per cent of the enrollment. This is hardly a fair comparison, for school attendance with the Japanese children is compulsory, and, moreover, there are not among the Japanese population the same reasons for keeping the children out of school as obtain among the natives. The bulk of the native population is engaged in farming, thus during certain seasons the parents find it to their interest to take the children out of school for work in the fields. The Japanese population is centered in the cities, and, with the exception of a small colony on the east coast engaged in the growing of peppermint, none of the Japanese are farmers. But aside from these facts there is a tendency on the part of the Chinese parent to take his child out of school for trivial causes. Chinese festivals and feast days are numerous, and, moreover, the Chinese boy who really desires to find an excuse for absence from school has a long list of relatives among whom marriage and funeral ceremonies, not to mention cases of illness, are bound to occur.

As already mentioned, the teacher, or more especially the principal of the school, finds the most difficult part of his labor that of persuading the parents to send their children to school regularly. Various measures are adopted to encourage regular attendance. Individual prizes are awarded and class banners are given, but where the Japanese would be content to work merely for a class banner the money-loving Chinese prefer a reward which may be transferred into cash for personal use.

Native pupils are selected from among the middle and wealthier classes, for only the children of those who are in a position to contribute toward the support of a school are admitted. In addition to the tax levied upon the property of the parents, each child in attendance at the public schools must pay a tuition fee which averages about 35 cents a year.

While the Chinese parents are gradually beginning to send their daughters to the public schools, they are far behind the Japanese parents in this regard. During the year 1906 the enrollment of Chinese girls in the public schools was equal to but one-seventh of that of boys, while among the Japanese the number of boys and girls in the elementary schools was about equal. In the lower classes and in the smaller country schools boys and girls are taught in the same classes, while in the larger schools they are separated after the first year. One of the commendable features of the work prescribed for girls is the sewing class.

Intellectually, the native boy seems to be the equal of the Japanese. While he does not take as readily to instruction in mathematics as the Japanese and is criticised by the teacher for his lack of reasoning power, yet his linguistic abilities are undoubtedly superior to those of the Japanese lad. He is possessed of a wonderfully retentive memory and learns Japanese so readily that after his fourth or fifth year it is possible to give all of this instruction in Japanese. In music the native boy appears to be specially gifted, if one is to judge from the enthusiasm with which he enters upon his singing exercises. Upon one of the writer's visits to public schools, individual members of the second grade were called upon to sing Japanese verse before the class. The teacher's requests were met with enthusiastic responses, and the children upon whom he happened to call rose without the least hesitancy and, with or without an accompaniment, sang the exercise.

The native pupil is criticised for his lack of appreciation of moral instruction; in fact, it is said that he appears to be scarcely affected by the teacher's exhortations to a better sense of morals.

One of the most hopeful features in the education of the Chinese native lies in the interest which he manifests in athletic games. The public school yard, during the fifteen minutes' recess at the end of each hour, presents as animated a scene as does that of any western school. The Chinese child loves play and takes a keen delight in all games. Already interclass and interschool athletic meets have been held, and not only do the pupils delight in them, but the parents exhibit a surprising amount of pleasure at seeing their children participate in these sports.

As for adopting Japanese customs, the native pupil exhibits no perceptible signs in that direction. He still wears the queue and dresses in true Chinese style, for home influence is bound strongly to assert itself, especially among a people whose family ties are so strongly interwoven as are those of the Chinese. The home influences and surroundings of the native child are distinctly Chinese, and as the native pupil does not associate with the Japanese boys, who have special schools provided for them, it will undoubtedly be years before he shows any signs of adopting customs other than those of his own race.

The number of pupils who have been graduated from the elementary Chinese public schools during the past seven years includes 1,803 boys and 50 girls. In other words, about 3 per cent of the children who enter the public schools graduate therefrom. This low proportion is accounted for in part by the fact that graduation does not entitle students to admission to secondary schools, for, in order to enter these institutions, they must submit to examination, and a fifth-year pupil is eligible to this.

(*b*) SECONDARY SCHOOLS.

For the secondary education of the native Chinese there are provided the following schools: (1) The Language School, including a normal department and a special school for girls; (2) the Medical School; (3) the Agricultural School; (4) the Industrial Sugar School. During the year 1906 there were graduated from the public elementary schools 502 boys, an increase of 130 over the previous year. During the same year 350 boys applied for admission to the Language School, of which number it was only possible to accept 90; 60 of these were assigned to the normal and 30 to the academic department. To the Medical School over 300 applied for admission, and only 35 could be accepted. The Agricultural Experimental Station accepts 80 new students each year, while the Industrial Sugar School takes about 12. Thus the secondary schools for native Chinese boys accommodate about 200 new students each year.

The Language School.—The Language School is under the direct control of the civil administration and is supported by Government funds. It contains a normal and an academic department. Students are admitted to either department upon an examination covering the first five years' work of the public elementary school. Applicants must be at least 14 and not over 23 years of age. The number of students admitted to the normal department is limited to from 60 to 80 a year, which at present is about one-third of the number that apply. This department aims to equip Chinese natives for work as public school teachers. The students live in dormitories and their expenses are met by the Government. In return for this, they are bound to give their services to the educational department for a period of three years following their graduation. The prescribed course of study embraces four years, and includes morals, pedagogy, Japanese, Chinese, history, geography, natural science, music, manual training, commerce, and physical culture. The following table (Table 5) shows the number of hours given to each subject:

TABLE 5.—*Study schedule for the normal department (for Chinese) of the Language School.*

Subject.	First year.		Second year.	
	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.
Morals	Morality and etiquette	1	Same as first year	1
Japanese		9		9
Chinese	Reading and composition	3	Same as first year	3
History and geography	Geography of Japan	2	History of Japan	2
Arithmetic		3	Algebra added	3
Natural science		4		4
Writing and drawing		2		2
Music	Vocal	2	Same as first year	2
Gymnastics and sports		4		4
Total		30		30

TABLE 5.—*Study schedule for the normal department (for Chinese) of the Language School*—Continued.

Subject.	Third year.		Fourth year.	
	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.
Morals	Same as first year	1	Same as first year	1
Education	Pedagogy and elementary metaphysics.	2	School management and methods of teaching.	6
Japanese		6		6
Chinese		2		2
History	Japan	2		
Mathematics	Algebra and geometry	3	Geometry	1
Natural science		4		2
Writing and drawing		1	Blackboard drawing	1
Music	Use of musical instruments.	2	Same as third year	2
Manual training		2		4
Agriculture	Practice	2		
Commerce	Elements	2	Same as third year	2
Gymnastics	Sports and military gymnastics.	3	.....do	2
Total		32		29

The Banka Public School is utilized as a special practice school for upper-class men, who in the presence of normal school instructors carry on work as teachers. Upon graduation, the Chinese students are eligible to appointment as assistant teachers only. During the year 1906 there were graduated from the normal department 44 Chinese natives, making a total of 152 since the establishment of the school ten years ago.

The academic department of the Language School aims to prepare a certain number of young men to fill positions as Government clerks and interpreters, besides affording to others an opportunity for advanced schooling. It accepts students upon examination only, and a limited number are admitted each year. Applicants for admission are presumed to have completed at least five years in the public elementary school, and to be not less than fourteen nor more than twenty-three years of age. The school is located in the same compound with the normal department in Taihoku City. Dormitories are provided for the students, a certain number of whom are supported at Government expense, pledging in return their services for three years following their graduation. The course of study embraces four years and includes morals, Japanese, Chinese composition, history, geography, arithmetic, natural sciences, writing, drawing, music, manual training, commerce, elementary law, and gymnastics. The following table shows the number of hours given to each subject:

CLASS ROOM IN THE LANGUAGE SCHOOL.

These natives are being trained as teachers for public schools.

TABLE 6.—*Study schedule for the academic department of the Language School.*

Subject.	First year.		Second year.	
	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.
Morals		1		1
Japanese		9		9
Chinese	Reading and composition	3	Same as first year	3
Geography and history	Japanese geography	2	Japanese history added	2
Mathematics	Arithmetic	3	Algebra	3
Natural science	Zoology and botany	4	Same as first year	4
Drawing		2		2
Music	Vocal	2	Same as first year	2
Gymnastics (military)		4		4
Total		30		30

Subject.	Third year.		Fourth year.	
	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.
Morals		1		1
Japanese		6		6
Chinese	Same as first year	2	Same as first year	2
History and geography	History of Japan	2	Same as third year	2
Mathematics	Geometry	3	do	3
Gymnastics (military)		4		3
Manual training		2	Theory	2
Agriculture	Theory and practice	2	Same as third year	4
Law and political economy.			Legal forms and bookkeeping.	4
Drawing		2	Instrumental	1
Music	Same as first year	2	Same as first year	1
Natural science		4		2
Total		30		31

Tennis courts, athletic fields, and gymnastic apparatus are provided. Owing to the interest taken by the native students in athletics, their physical condition is being much improved. Athletic and bicycle meets between the different schools are held each year and prove to be of great benefit.

There were enrolled 76 students during the year 1906. The number of graduates from this department for the same year was 6. Since the establishment of the school 113 students have been graduated.

The girls' school.—For the education and industrial training of girls there was established in 1898 at Shirin a school which, for administrative purposes, is dependent upon the Language School. This school is intended solely for the education of girls and provides two courses, namely, course A, for common education; course B, for domestic sciences. Course A requires three years for completion and prescribes the following studies: Morals, Japanese, arithmetic, writing, music, and sewing. Pupils entering this course must be at least 8 years and not over 14 years of age. Course B provides for six years' work and prescribes the following studies: Morals, Japanese, reading, writing, arithmetic, music, sewing, knitting, artificial flower making, and embroidering. Students in this course range from 12 to 18 years of age. There are three Japanese teachers,

one of whom is a woman, and one native Chinese woman teacher. The native teacher instructs the younger pupils in sewing, for which she receives $3.50 a month. Students are admitted by examination and but a limited number are accepted each year. At present there are 26 pupils enrolled in course A and 24 in course B. Since 1898 there have been enrolled in the school 350 pupils, of whom 50 have been graduated. Of these graduates, 30 are engaged as teachers in the public schools at salaries ranging from $2.50 to $5 a month, and the remainder have married and live at home.

The school is at present housed in poor quarters, two of the class rooms having earth floors. But a new building is planned for the school when it is moved to Taihoku, and a proper normal department for the training of women teachers will then be added. The work done by this school is indeed creditable, and when it is removed to more spacious and better equipped quarters it may be expected to fill a prominent position among the schools for the education of the natives.

The Medical School.—When the Medical School was opened eight years ago the instructors were obliged to go among the Chinese and labor to secure students, and, in spite of the fact that the Government provided free schooling and a liberal allowance to cover the students' living expenses, their efforts were not at first crowned with much success. But when a few students were graduated and the parents discovered the splendid opportunities that a medical training offered for liberal financial returns, they were no longer hesitant about sending their children to the school. There are in Formosa 1,700 native Chinese physicians practicing according to old Chinese methods. The object of the Medical School is to replace these by trained physicians. The demand for the trained native physician is indeed good if we are to judge from the money compensation which the graduates of the Medical School now receive. The graduates, numbering 75, earn from $25 to $150 a month each. The wage of the Chinese laborer in the island averages $6 a month. In face of the splendid incomes of these graduates, it is no little wonder that the money-loving Chinaman is anxious to have his son become an M. D.

The Medical School accommodates but 35 new students a year. Although the regulations of the school provide that the students' entire living expenses and tuition are to be defrayed by the institution, yet of the 300 applicants for admission at the beginning of the present year 30 offered to pay their own expenses. So long as the regulations remain as they are, admission will be determined entirely upon the basis of competitive examinations. Of the 158 students at present enrolled in the school, 10 pay their own way, while on the other hand there are a number who entered without a penny to their credit.

A CLASS IN PHYSICAL CULTURE IN THE NORMAL DEPARTMENT OF THE LANGUAGE SCHOOL FOR CHINESE NATIVES.

A CLASS IN READING IN THE SHIRIN GIRLS' SCHOOL.

To take the examination one must have the equivalent of five years' training in the public schools.

The Medical School is conducted in connection with a Japanese Red Cross Hospital which was established in the capital city several years ago. At that time the Red Cross Society contributed $25,000 for the erection of a building and $2,500 a year for its maintenance, provided that the hospital would be conducted in connection with the medical training school. The Government has since taken the matter up, and is now erecting in the vicinity of this hospital buildings which, when completed, will have cost $150,000. The Government sanitary bureau is also erecting in proximity to the Medical School and hospital, at a cost of $150,000, a laboratory which, when completed, will undoubtedly be the best of its kind in the East. Besides these institutions, there is a Government hospital directly opposite the Red Cross Hospital. This building is being completed in sections, and when entirely finished will have cost about $250,000. Hence the island is being furnished with splendid facilities for a medical education.

The school provides two courses, a preparatory and a regular course. The preparatory course covers one year and embraces the following subjects: Morals, Japanese, natural science, geography, history, arithmetic, and gymnastics. The regular course presupposes the satisfactory completion of the preliminary course and prescribes a course of study extending over four years. While this course does not presume to be of as high a standard as that which obtains in medical schools in Japan, yet it is, so far as circumstances will permit, fashioned after such. A post-graduate course of one year is offered and all are encouraged to take it. Patients in the hospital are treated free of charge, which affords advanced students practical work under competent instructors. There are two wards, each of which accommodates about 40 patients. Chinese and Japanese men and women occupy the same wards. The writer was surprised to note that about one-third of the students had cut their queues because they had found them to be in the way.

Upon a student's graduation he is presented with a certificate signed by the governor-general permitting him to practice medicine in the island. No one is permitted to practice here without a certificate from the Formosan government, although a certain proviso was made when the Japanese took possession of the island whereby 1,700 native physicians were granted privilege to continue their practice under certain limitations. When the new buildings are completed the school will be able to graduate 60 students a year. The number at present is 25. Of the 73 students already graduated, 43 have taken the post-graduate course, involving a training in the hospital. When the graduate begins the practice of medicine he is obliged to serve a

probationary period of several years, during which time he is watched closely by the Medical School authorities and every possible assistance rendered him. The institution is doing a splendid work and deserves high commendation.

The Agricultural School.—Formosa is and undoubtedly always will remain an agricultural colony. The soil is rich, rainfall abundant, and climate conducive to vegetation. Up to the time that the island became a possession of Japan nothing was done toward the application of science to agriculture. But now an agricultural experiment station under the supervision of the bureau of productive industries of the Formosan government retains a corps of specialists and does a splendid work toward improving agricultural conditions in the island. This institution is located about 3 miles south of the capital city and covers an area of 58 acres. The station is in charge of a superintendent, assisted by 2 expert teachers, 2 special clerks, 17 regular teachers, 12 regular clerks, and 12 laborers. Three of the teachers hold degrees as bachelors of agriculture from agricultural colleges in Japan.

The station provides a training school for Chinese natives. There are three courses of study offered—agriculture, veterinary science, and forestry. A student to be admitted to these courses must be a member of a family owning 2½ acres of land, and must hold a certificate showing the completion of the fifth-year class of the public school, which means that he must have a working knowledge of the Japanese and Chinese languages. He must be upward of 17 years of age, physically able, and of good character. He must be in a position to be able to attend regularly for two successive years to the work as prescribed in the course of study. Candidates for entrance must make application through the prefect of the district, who is responsible for the examination and certification of the candidates. The course of study in the agricultural department covers two years and embraces the following subjects: Science of agriculture, entomology, pathology, cattle feeding, manual training, and methods of teaching. The students live in dormitories provided for them; food, clothing, and stationery are provided at their own expense, while bedding and mosquito nets are rented to them by the station. During the period of their attendance they receive 10 cents a day as a remuneration for their labor. It is said that a majority of the students are self-supporting, some even doing their own cooking. Their daily programme is something after the following manner: 5.30 a. m. in the summer (6 in the winter), rise; 6, inspection; 6.30, breakfast; forenoon, study; afternoon, practical work; 9 p. m., inspection; 9.30, lights out. Athletic fields are provided the students and a room is set aside for medical attendance, which is furnished free of charge.

For student experimental purposes 1 acre of land is set aside for rice fields, 3½ acres for vegetable and plant gardens, and 1.2 acres for an orchard. Here the students practice cultivation. The habits of harmful insects and methods of extermination are studied. A number of imported cattle are kept at the station, and the feeding and treatment of cattle in general studied.

The practical work is in charge of two teachers, who are reserve commissioned officers in the Japanese army, and the students are kept under military discipline.

Once each year the students are taken on exploring tours for observation and study, and whenever officers from the station go on lecture tours among the farmers in the island, corps of students accompany them to assist in the magic-lantern exhibitions as well as in other ways. Once every week the students assemble together with the officers and teachers of the station, and general discussions upon topics connected with the work are carried on in Japanese. Here the students have an opportunity to practice their Japanese, as they are obliged to speak in turn before the assembly, setting forth the results of their observations and study. In impromptu speaking, and in making an appearance before a public assembly, the Chinese student surpasses the Japanese. On holidays and during spare hours they are encouraged to collect insects.

There are now 84 students admitted to the agricultural school each year. Up to the present 106 students have been graduated from the agricultural course, the majority of whom are engaged in work connected with the station.

The products under experimental cultivation and study in the grounds of this station are rice, sugar cane, peanuts, China grass, jute, indigo, tobacco, tumeric, sesame, peppermint, and silk. A special experimental garden for tea culture is conducted at An-pei-ching, while another for tobacco culture is established at Bioritsu.

Up to the present the station has compiled the following reports:

1. Investigations on the principal farm products of Formosa.
2. Agricultural experiments.
3. Neat cattle in Formosa, with some notes on the Indian buffalo.
4. The Java potato.
5. Elephant-trunk worms which grow on rice.
6. Description of farm implements used in Formosa.
7. Results of experiments in sericulture.
8. The six varieties of harmful rice worms.

Numbers 4, 5, 6, 7, and 8 have been translated into Chinese and distributed among growers.

As a result of the station's experiments in the growing of peppermint in Formosa, a Japanese colony has been founded on the east

coast and the cultivation of this plant undertaken on a large scale. The station is also experimenting in sericulture, and hopes to add the growing of the silk worm to the industries of the island.

The veterinary course is open to students who have completed the agricultural course. Applicants must be of at least 19 years of age and of good health. The course of study extends over six months, and the rules pertaining to students and instruction are similar to those of the agricultural course. At present 16 students are enrolled.

The course in forestry is just being instituted, hence little can be said about the work which it is intended to cover. Formosa is rich in forest products and there is an excellent opportunity for the student of forestry.

The Industrial Sugar School.—Since the island became a Japanese possession much has been done by the administration to improve and extend the cane-sugar industry. At present about 20 per cent of Japan's consumption of sugar is furnished by Formosa. Improved sugar cane has been introduced from Hawaii and Java, and modern crushing mills are being erected. This industry furnishes an excellent opportunity for the operation of industrial schools in connection with it. The administration has not overlooked this fact. Under the supervision of a Government sugar bureau there was opened in February, 1905, an industrial sugar school in connection with an experiment station for the training of apprentices for work in sugar mills. In July, 1906, the Industrial Sugar School and the analytical and experiment stations were consolidated in an experimental department of the sugar bureau.

In this department native and Japanese students are trained as apprentices. Those who are admitted to the school are expected to have had an elementary education. In this school there are two departments, a sugar manufacturing department and a sugar engineering department. The students in the engineering department number 15, while those in the manufacturing department number 26. The branches of study include agriculture, physics, chemistry, arithmetic, national language, engineering, sugar manufacture, analysis of sugar, management of stationary engines, implement manufacture, management of sugar machinery, and the cultivation of sugar. The number of hours per week devoted to each subject is given in Table 7. The course is the same for both departments during the first year, but in the second special courses are given. At present no suitable text-books have been found for the use of the pupils, hence the instructors are obliged to have them take notes from lectures each day.

TABLE 7.—*Number of hours per week allotted to each subject at the Industrial Sugar School.*

COURSE IN SUGAR MANUFACTURE.

Subject.	First year.			Second year.		
	First period.	Second period.	Third period.	First period.	Second period.	Third period.
Agriculture	3	3	3	5	5	.....
Physics	4	4	4	.....	.....	.....
Chemistry	4	4	4	4	.....	.....
Arithmetic	5	5	5	3	3	3
Japanese	4	4	4	.....	.....	.....
Sugar manufacturing	.....	.....	3	.....	.....	3
Sugar analysis	.....	.....	.....	16	16	16
Cultivation of sugar	.....	.....	4	.....	2	2
Total	20	20	27	28	26	24

ENGINEERING COURSE.

Agriculture	3	3	3	.....	.....	.....
Physics	4	4	4	.....	.....	.....
Chemistry	4	4	4	.....	.....	.....
Arithmetic	5	5	5	3	3	3
Japanese	4	4	4	.....	.....	.....
Engineering	3	3	.....	.....	5	5
Boiler and engine management	.....	.....	.....	18	.....	8
Manufacture of implements	.....	.....	9	.....	9	9
Management of sugar machinery	.....	.....	.....	18	9	.....
Total	23	23	29	39	26	26

Prior to the opening of a sugar mill by the station, student apprentices in both courses were engaged in the cultivation of cane each day from 1 to 5 p. m. (Saturdays and Sundays excepted); but when the sugar plant was installed, students in the engineering course were assigned as assistants in the installation and operation of machinery, while those in the manufacturing course were assigned to work on the analysis and manufacture of sugar. Their work is carried on under the guidance of competent teachers, who take the students on inspection tours to native and improved mills. Recently the entire corps of students has been engaged in work in one of the large modern mills under the supervision of an instructor, and this has proved very beneficial to them.

(*c*) PRIVATE SCHOOLS FOR CHINESE NATIVES.

During the Chinese régime the Chinese youth had for the most part to depend upon private schools for his instruction. The part which these schools played in the educational system during that period is fully set forth in the previous section on "Education under the Chinese." The independent position occupied by the private schools prevented them from being affected by the coming of the Japanese, and up to the year 1898 they occupied much the same position with the native masses as before. In that year, when the public school system was formally established, certain regulations were

made to bring the private schools under Government control and supervision. As long as a complete system of public schools was not established throughout the island the administration deemed it wisest to permit the private schools to continue, but, if possible, to place them under such supervision and control as might result in eventually bringing them up to a standard approaching that of the public schools.

The important position still occupied by the private schools is attested by the fact that, during the year 1906, 20,142 native pupils were under instruction in them. These figures as compared with those for the year 1901 show a decrease of 8,000, but still represent a number equivalent to about two-thirds of the enrollment in the public schools. On the other hand, compared with the figures for the year 1905 there is a slight increase. In 1906 there were 936 teachers in the private schools as compared with 1,543 in 1901.

The regulations pertaining to Chinese private schools prescribe that such schools shall be under the supervision of the respective local prefects; that the course of study as prescribed under the old procedure shall be gradually altered so as to include the Japanese language and arithmetic; that reports shall be made each year to the office of the prefect setting forth full particulars as to the work of the school, student enrollment, and other matters; and that certain sanitary precautions shall be observed. The governor-general may prescribe the use of such text-books as he may deem necessary, and in cases in which the schools are properly managed certain subsidies may be granted by the administration. In obedience to the above regulations, by the year 1906 arithmetic had been introduced into 187 private schools, Japanese into 112, and both arithmetic and Japanese into 80. A regulation more recent than these prescribes that private schools shall cease to be conducted in districts in which public schools are established. There were 927 private schools in operation during the year 1906.

These figures tend to show that the private school is still popular with the Chinese. A parent may send his children to such a school upon payment of about $5 a year for tuition, which is all he need pay toward the support of the school. The average native private school makes provision for about twenty pupils. As each child is a class unto himself, the parent can withdraw him from the school at any time and for as many days as he may please without interfering with his work. Furthermore, the pupil may give the bulk of his time to the study of Chinese in accordance with the wishes of the native parent.

But for all this the native private school has little to commend it. It is housed in poorly lighted, poorly ventilated quarters, and under the instruction of poorly trained teachers. The best that can be said

for it is that it is distinctly Chinese, and naturally in favor on that account with those who criticise the public school as teaching too much Japanese and too little Chinese. As the establishment of public schools means the displacing of the private schools, it will undoubtedly not be many years before the native private school will no longer find a place in the educational system of the island.

6. SCHOOLS FOR THE JAPANESE.

The Japanese in Formosa number less than 2 per cent of the island's population. That comparatively few Japanese have settled in Formosa can not be imputed to a lack of educational facilities. The 3,850 children of school age are being well cared for; in fact, the schools provided for them are in many respects superior to corresponding institutions in Japan. The system conforms to that of the mother country and consists of elementary and secondary schools.

(*a*) ELEMENTARY SCHOOLS.

That 93 per cent of the Japanese children of school age in Formosa are under instruction is due, in part at least, to the fact that elementary education is with them compulsory. Elementary schools are established throughout those portions of the island inhabited by the Japanese and are under the supervision of the local prefects, as are the public schools for the Chinese natives; the expenses of maintenance are defrayed from the prefectural treasuries, although a tuition fee of 15 cents a month for the primary and 25 cents a month for the intermediate course is assessed against each pupil enrolled. The total amount of such tuition fees during the year 1906 was about $5,000. The expenditures for the maintenance of these elementary schools during the same year amounted to about $35,000, which sum includes an item of $5,000 for buildings. In districts in which the Japanese population is so sparse as not to warrant the establishment of elementary Japanese schools, arrangements are made whereby separate classes for the instruction of Japanese children are provided in the public schools for the Chinese. During the year 1906 fourteen native Chinese schools were giving special courses for Japanese pupils, the 221 pupils in these schools paying the regular tuition fee.

The smallest regular elementary Japanese school in the island is that at Toen, which provides for 41 pupils. The largest is the Taihoku City School, which has an enrollment of about 700 pupils. The Taihoku school cares for nearly one-fourth of the pupils in the elementary Japanese schools, and is a model institution. The buildings were erected at a cost of $40,000 and are remarkably well adapted to school purposes, in addition to being distinctly ornamental. Like all schools erected by the Japanese authorities in the island, the buildings

are so arranged that each room occupies the entire width of the building, thus providing excellent lighting and ventilating facilities. There are ten class rooms, a large assembly room, a sewing room for girls, a room for scientific apparatus and natural history specimens, and proper office accommodations for principal and teachers. The grounds are spacious enough to provide flower gardens, playgrounds, and athletic fields. The site was well chosen, being the most favorable location in the outskirts of the capital city. There is not in the whole of Japan an elementary school of a similar size as well housed as is this.

The teachers in the elementary Japanese schools of Formosa receive much higher pay than those in similar schools in Japan. The average monthly salary of the Japanese elementary school teacher in Formosa is $25, while that of the teacher in Japan is less than one-third of this amount. Women teachers are paid less. Owing to the splendid inducements in the way of good salaries, the educational authorities in the island experience no difficulty in securing excellent material as teachers in the elementary Japanese schools. In Japan the salaries of the elementary school teachers depend very often upon each annual budget in a school district, and, if the district is poor, the teacher is often obliged to suffer a reduction in his allowance. The teacher in the elementary Japanese schools in Formosa is not thus inconvenienced. For the most part, the lower grades in these elementary schools are taught by women, who receive an average salary of about $8 a month.

The course of study prescribed for the elementary Japanese schools in Formosa is similar to that for schools in Japan. It is quite necessary that it should be thus, for a large number of children are constantly returning to or coming from Japan, and naturally wish to continue their schooling with as little inconvenience to themselves as possible. Furthermore, graduates of elementary Japanese schools in the island are received in Japan on an equal standing with the graduates of the elementary schools there. As in Japan, the elementary gives a primary course of four years and an intermediate course of two years. In the primary course morals, Japanese, arithmetic, music, and physical culture are taught, with sewing lessons added for girls. In the intermediate course Japanese history and geography, natural science, and drawing are taught in addition to the subjects already enumerated. The text-books used are similar to those in use in Japan. These, however, are to be supplemented by books especially adapted to Formosa.

Children are admitted to the elementary Japanese schools between the ages of 6 and 14 years. There were 3,064 pupils enrolled in these schools during the year 1906, about one-half of whom were girls. Fourteen native Chinese schools were, during that year, giving

A. TAIHOKU CITY ELEMENTARY SCHOOL FOR JAPANESE.

This is a model institution.

B. TEACHERS AND PUPILS OF THE ENZANNO PUBLIC SCHOOL FOR ABORIGINES, IN KOSHIN PREFECTURE.

special courses for Japanese children, who numbered 115 boys and 106 girls. The average daily attendance of pupils enrolled in the elementary Japanese schools during 1906 was 2,763. When a school is sufficiently large to permit, boys and girls are taught in separate classes.

One of the particularly interesting features of the Japanese school is the system of class captains, who are selected, one for each class, on a basis of scholarship. When a visitor enters a class room, the class captain rises from his seat, calls the class to attention, and the members in obedience to his orders rise and, as one person, salute the visitor. When the class is to be dismissed, it is done at the orders of its captain, who assembles them on the school grounds in company formation and, when they are at attention, gives the command "fall out." Likewise when the school session is called the boys fall in under their respective class captains and march to their class rooms. Physical culture in the Japanese school involves considerable military drill, which, whenever the weather will permit, is carried on out of doors. The Japanese pupil in Formosa demands more recreation and play than he would were he in a school in Japan, for climatic conditions in the island are conducive to fevers and epidemics. Moreover, the pupil in Formosa finds that he can not study so effectively as he could in Japan, hence he must have more exercise and recreation to keep in good physical condition.

Another disadvantage to the Japanese child in Formosa is the inferior social conditions which surround him. The first Japanese to come to the island were not from the better classes and their moral standards were not high, hence the children of the better classes are often thrown among evil associates. The educational department is doing everything possible to counteract these unfavorable conditions, and, so far as the elementary schools are concerned, the Japanese pupil is receiving excellent care from the educational authorities in the island.

(*b*) SECONDARY SCHOOLS.

The facilities furnished the Japanese student for secondary education are quite equal, in point of excellence, to those for elementary training. After completing his six years of primary and intermediate school training, the Japanese boy who would remain in Formosa has the choice of entering the Middle School or the normal department of the Language School. For the girls there is a girls' high school.

The Middle School.—A 15-acre piece of ground has been secured by the Formosan government in proximity to Taihoku City for the erection of buildings and dormitories for a new middle school for the Japanese. The completion of these buildings will involve an ex-

penditure of $250,000 and will give to the island a middle school superior to any in Japan. The cost of this project will be defrayed from the government treasury. The school is at present housed in temporary quarters in the city. The students, who number 104, are required to pay a tuition fee of 80 cents a month. The school provides two departments, which may be styled A and B.

Department A makes English the major subject and proposes to train a limited number of students in English manners, customs, and ways of living, besides affording to them an academic training. Baron Goto, late civil governor in the island, who is responsible for the founding of this department, said that it was his purpose in recommending such a course to afford a means whereby Japanese boys may be so thoroughly trained in the English language, manners, and customs as to be able, at the completion of their studies, to move about in foreign society with ease and comfort; in a word, to produce Japanese gentlemen conversant with foreign customs. This course is a noteworthy innovation in Japanese methods of training students in a foreign language and foreign customs, there being nothing to correspond with it in Japan, with the possible exception of a private institution in Tokyo under foreign management. In light of the many criticisms which have during the past six months appeared throughout the Japanese press on the superficial methods of foreign-language instruction in the middle schools of Japan, this experiment in Formosa will undoubtedly be watched with the closest attention by Japanese educationists.

The number of students in this course to enter each year is limited to 30, who are to be selected by competitive examination. Applicants must be at least 11 years of age, must have a training equal to that given in the elementary Japanese schools, and must be able to defray their living expenses in a dormitory provided in the school. These expenses, from a Japanese standpoint, are high, being at least $15 a month. Students are required to live and dress in foreign style. The course will extend over six years, and it is planned to have a separate dormitory for each class, which is to be composed of 30 members. Each dormitory will be presided over by the head teacher of the corresponding class or form. The first class of 30 students was admitted this year, but dormitory accommodations for them will not be in readiness until next April. The course of study includes Japanese, English, Chinese, history, geography, mathematics, natural history, physics, chemistry, drawing, music, manual training, and gymnastics. The number of hours per week devoted to each subject is given in Table 8.

TABLE 8.—*Middle School study schedule—Department A.*

FIRST TERM (3 YEARS).

Subject.	First year.		Second year.		Third year.	
	Division of the subject.	Hours per week.	Division of the subject.	Hours per week.	Division of the subject.	Hours per week.
National patriotism.	Requirements of the nation.	1	Same as first year.	1	Same as first year.	1
Japanese	Reading, composition, conversation, and writing.	4	.....do	4	Grammar added..	4
English	Easy conversation, pronunciation, spelling, and writing.	9	Translation and grammar added.	7	Same as second year.	7
Mathematics	Arithmetic	4	Algebra added....	4	Arithmetic, algebra, and geometry.	4
History	Historical tales	1	Japanese history..	2	Same as second year.	2
Geography	Elements	1	Japan and east Asia.	2	West Asia and Japan.	2
Natural history	.....do	1	Plants, animals, and minerals.	1	Same as second year.	2
Total		21		21		22

SECOND TERM (3 YEARS).

Subject.	Fourth year.		Fifth year.		Sixth year.	
	Division of the subject.	Hours per week.	Division of the subject.	Hours per week.	Division of the subject.	Hours per week.
National patriotism.	Same as first year	1	Political science...	1	Same as fifth year.	2
Japanese	Same as third year ...	3	Same as third year.	3	Same as third year.	3
English	Translation, paraphrase, conversation, composition, and grammar.	5	Same as fourth year.	5	Same as fourth year.	5
Chinese	Same as English	5	.....do	5	.....do	3
Mathematics	Algebra and geometry.	4	.....do	4	Trigonometry added.	4
History	Oriental	2	Western	2	Universal	2
Geography	World	1	Geology	1	Physical geography.	2
Natural history		2	Physiology	2		
Chemistry and physics.		2		2		4
Total		25		25		25

An advanced course covering two years will be provided for graduates. This latter course is designed especially to fit young men for positions in the Government service, particularly the colonial service. In speaking with Mr. Hoinjo, the principal of the Middle School, the writer was informed that the new Middle School is to be patterned, to a certain extent at least, after Abbott's Hall, England, which he had occasion to visit a year ago. The Middle School retains at present two foreigners as teachers of English, one a Cana-

dian woman and the other an American, the former of whom is to have charge of the dormitories to be opened next April.

Department B, which is in reality the Middle School proper, requires five years for its completion, and corresponds to the regular middle schools in Japan. The students registered in this department do not live in dormitories. The course of study includes morals, Japanese, Chinese, English, history, geography, mathematics, natural history, physics, chemistry, elements of law and economics, drawing, music, and gymnastics. The number of hours allotted to each subject is shown in Table 9. An advanced course covering one year supplements the one just described. Military drill forms an important feature of the prescribed work for the students of both departments of the Middle School, and is conducted under the direction of a former army officer.

TABLE 9.—*Middle School study schedule—Department B.*

Subject.	First year.		Second year.		Third year.	
	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.
Morals		1		1		1
Japanese and Chinese.	Reading, grammar, composition, and writing.	7	Same as first year.	7	Same as first year.	7
English	Elementary	6	do	6	Grammar added	7
History and geography.	Japan	3	Asia and Australia added.	3	Oriental history and European geography.	3
Mathematics	Arithmetic	4	Algebra added	4	Geometry added	5
Natural history	Minerals	2	Botany	2	Physiology, zoology, and sanitation.	2
Drawing	Free-hand	1	Mechanical added	1	Free-hand	1
Music	Singing	1	Same as first year.	1	Same as first year.	1
Gymnastics	Military	3	do	3	do	3
Total		28		28		30

Subject.	Fourth year.		Fifth year.	
	Division of the subject.	Hours a week.	Division of the subject.	Hours a week.
Morals		1		1
Japanese and Chinese	Advanced work	6	Same as fourth year	6
English	Same as third year	7	Same as third year	7
History and geography	America and Africa	3	Universal history and geology.	3
Mathematics	Algebra and geometry	4	Geometry and trigonometry.	4
Natural history	Zoology	2		
Physical sciences	Chemistry	3	Physics	4
Law and political economy.				2
Drawing	Mechanical	1		
Military drill		3		3
Total		30		30

The officers of the Middle School consist of 1 principal (Shonin rank), 7 teachers of Shonin rank and 17 of Hannin rank, a superintendent of dormitories, and a clerk. The foreign English teachers

receive $900 and $1,800, respectively. Living quarters are furnished to all of the above teachers. The school has not been established sufficiently long to graduate many students, but during the year 1906 19 were graduated.

The normal department.—There is connected with the Language School a separate normal department for the training of Japanese young men as teachers for the public schools. Students to be accepted in this course must be at least 18 and not over 25 years of age, and must have completed a course of study equal to that of the fourth year of the Middle School. The course of study extends over one year and includes the following subjects: Morals, pedagogy, Japanese, Formosan Chinese, history, geography, natural science, music, manual training, agriculture, commerce, and physical culture. Manual training, agriculture, and commerce occupy but a small part of the study schedule. This department graduates about twenty students a year, and since its establishment about ten years ago it has furnished 145 teachers for the public schools of the island.

The Girls' Higher School.—There are more girls in attendance in the elementary Japanese schools, in proportion to the number of school age, than there are boys. Girls to be admitted to the Higher School must be not less than 12 years of age and must have had an elementary school education. The course of study prescribed for this institution is similar to that which obtains in like schools in Japan. The admirable feature of its curriculum is that it attaches great importance to the domestic sciences. Graduates from this school are received in Japan on the same status as graduates of Girls' Higher Schools there. There were 149 girls enrolled in this school during the year 1906, which was 64 less than the number of boys enrolled in the Middle School, and 125 more than the number of native Chinese girls enrolled in the Shirin Girls' Higher School.

Japanese students completing the courses prescribed in the secondary schools above enumerated are in a position to enter upon advanced work in schools in Japan. The facilities which the Formosan government offers to the Japanese youth for a first-class common-school education are indeed good, and when the new middle school is completed the island will have a high school superior to any in Japan.

7. SCHOOLS FOR ABORIGINES.

The savage tribes in Formosa still occupy and control the eastern (mountainous) half of the island. Their population is estimated at 103,000. The question of bringing this population under control and opening their lands to exploitation is one which is receiving much attention from the administration. A military police force, made up of 3,500 Japanese police, 1,500 Chinese native police, and 5,000 native

coolies, has succeeded, under the direction of the superintendent of police, in establishing a guard line along the savage frontier. This line has been advanced from time to time, but recently it was forced back by a combined attack on the part of the savages in the northern part of the island and much territory regained to savage control. The difficulties with which the police have to contend are many. The country is mountainous and covered with a dense jungle well adapted to the sort of guerrilla warfare which the savages indulge in.

The tribes in the northern part of the island belong to the Atayal group of head-hunter savages and are the most difficult with which to deal, while the Amis, Paiwan, and Payuma groups in the eastern and southern districts are comparatively peaceful. It is among these latter groups that the administration is attempting to establish schools. Up to the present twelve schools have been opened in Taito prefecture in villages along the east coast and three in Koshun in the southernmost part of the island. It is worthy of note that these schools have been established in the same villages and among the same tribes as those opened by Chinese thirty-five years ago. In fact, as a result of the work of the Chinese school in one of the villages in Koshun, many of the members of one of the tribes of the Paiwan group still wear the queue and dress in Chinese style.

The regulations provide that no tuition fees shall be charged in the savage schools. The expenses of maintenance are defrayed from the prefectural treasuries. During the year 1906 the sum of $12,000 was spent on savage education. The course of study extends over four years, and aims to teach the children to read and write the Japanese kanna (alphabet) and perform the simple operations in arithmetic. Their course of study naturally includes much conversational work in Japanese. Music, manual training, and agriculture are added as local conditions permit. The pupils are rewarded for faithful work by prizes consisting of clothing and food. The teachers assigned to these schools number 40, of whom 25 are Japanese, 8 Chinese natives, and 7 savages. They are paid $272 a year for the Japanese, $44 a year for the Chinese native, and $35 a year for the savage teachers. The Japanese teacher in a savage village is recognized by the members of the tribe in that place as an important personage. He has succeeded in winning the good will of the chieftain and headmen, for many instances are cited of these chieftains and headmen calling upon the village school-teacher to act as arbiter in their controversies.

There were 996 boys and 92 girls enrolled in the fifteen savage schools during the year 1906. Of these pupils, 167 were between the ages of 7 and 10 years; 565 between the ages of 10 and 15; 280 between the ages of 15 and 20; 29 upward of 20 years, and 43 of ages unknown. The average daily attendance during the year was 577

for the boys and 56 for the girls. The low average daily attendance is probably due to the fact that, owing to the poverty of these tribes, they are obliged to utilize the services of their children as much as possible in the fields which they till. These schools have thus far graduated 47 boys and 1 girl. One of the graduates subsequently entered the medical school in Taihoku City and did very creditable work. The other graduates are employed as interpreters and police in the districts in which they live.

These tribes prove themselves capable of being affected by civilizing influences. The children make good progress in their studies, but appear to be lacking in mathematical ability. The parents seem to be anxious to have their children learn to read and write. Indications at present seem to point to a successful issue in the educational work among these tribes.

8. EDUCATION UNDER THE JAPANESE CONTRASTED WITH THAT UNDER THE DUTCH AND CHINESE.

In contrasting education under the Japanese with that under the Dutch and that under the Chinese we should measure each in light of its peculiar aims and accomplishments.

The Dutch aimed to convert to Christianity the savage tribes among whom they settled, hoping thereby to better their trade relations. Their missionaries came to Formosa and found a people (or peoples) savage and addicted to vile practices. As a result of the thirty years' labors of these missionaries the savage tribes were given a written language and improved social customs, which were carried down through successive generations, remnants of which are to be found even to the present day. Measured in the light of their day or, in fact, in the light of to-day, the achievements of the Dutch missionaries can not be judged otherwise than as remarkable.

Education during the Chinese régime in Formosa naturally followed the trend of education in China proper. The Imperial examinations dragged all that flavored of educational effort through the same ruts year after year until one administrative officer, bolder and more enlightened than his predecessors, attempted to lift it upon a higher plane—that of usefulness—only to have his work so well begun suffer at the hands of a reactionary successor. But so far as the masses were concerned the private school met their wants, which fortunately were few.

The really interesting phase in educational effort under the Chinese was that which had to do with the establishment of schools among the aborigines. As early as the beginning of the eighteenth century the Chinese recognized the utility of the public school in Formosa as a means of bringing an alien race under subjugation. The schools

established among the tribes which had previously come under the influence of the Dutch assisted to hasten the adoption of Chinese customs by these tribes. It was not, however, till 1875 that the Chinese seriously attempted to subjugate any of the untamed savages through the medium of the public school. When, in that year, special textbooks for the instruction of the savages were adopted, it appeared as if the Chinese had begun to realize the fact that the Three Character Classic was doubly meaningless when placed in the hands of a savage child. But such was not the case; for, ten years later, when the enlightened Liu Ming Chuan attempted to subjugate the tribes of the headhunter Atayal Group of savages by giving them schools, he adhered to the old custom and prescribed the Chinese Classic. Despite the apparent crudeness of their methods, the fact remains that the Chinese had accomplished, during the years 1875 to 1891, much in the way of assimilating the savage tribes throughout the island.

The fact that when Japan took possession of Formosa she found but the fragments of an antiquated Chinese school system, should not be interpreted to mean that had China continued in the possession of the island that system would have been perpetuated. The educational revolution which has swept over China during the past few years could not but have affected Formosa.

When Japan annexed Formosa she already had the advantage of twenty-five years' experience in modern educational administration. Before the island had been pacified she set to work to establish a system of public instruction. Now after twelve years' labors we find 5.5 per cent of the native Chinese children of school age enrolled in public schools, or about 9 per cent under instruction in both public and private schools. Statistics of education in the Philippines for the year 1906 show 20 per cent of the children of school age enrolled in public schools, and about 25 per cent under instruction in both public and private schools.

Public instruction in Formosa aims to convert the native child into a loyal Japanese subject. It attempts, however, to reach only that part of the native Chinese which is able to contribute toward the financial support of the schools. The people are given schools as they are able to pay for them. But when a district gets a school, it is a splendidly constructed, well-equipped building, set upon a site which allows of plenty of room for playgrounds. The teachers provided for these schools are well trained and apparently devoted to their work. Statistics for the years 1900 to 1907 show that the enrollment in the public schools is gradually increasing. (See Tables 10 and 11, pages 63, 64.)

The facilities for the secondary education of the native Chinese are apparently insufficient. A Chinese parent, a man who pays in taxes several hundred dollars a year toward the support of the public ele-

mentary school in his district, when asked why he did not send his boy to it, said, "What's the use? If I send him to the public school he learns Japanese, and when he has finished what use is it to him? His chances of entering a higher school are very few." Those secondary institutions which are provided are good, and so soon as they are in a position to accommodate much larger numbers than possible under the present conditions, they will assist greatly in the cause of native Chinese education.

The public schools established by the Japanese are doing infinitely more for the native Chinese girl than any Chinese school ever attempted to do. But the number of native girls in attendance in the public schools in proportion to the population is still exceedingly low. The Chinese parent is only beginning to give to his daughter the opportunities which a few years ago he deemed appropriate for his son only.

The administration has not neglected to furnish to the Japanese children resident in the island splendid facilities for both elementary and secondary education. Ninety-three per cent of the Japanese children of school age in Formosa are under instruction. The schools and the instruction provided are, on an average, better than those furnished in Japan. As for secondary education, the new middle school will eclipse anything of a like nature in the mother country, and will afford the graduates of the elementary schools splendid facilities for advanced education.

As regards the aborigines, schools are being provided for the children of the peaceful tribes only. According to the policy of the administration, subjugation must precede education. This is perhaps the safest policy. The savage problem in Formosa is one which presents great difficulties, and it will undoubtedly be some years before the administration will have succeeded in placing the savage tribes under control.

Thus it may be said for education under the Japanese that the quality of the facilities furnished is excellent. It may, however, be criticised in that it does not pretend to reach the native masses. The Emperor's decree of 1871 in regard to education does apply to the Japanese resident in the island, but it can not yet be said that it is intended to embrace the native Chinese population. To convert 3,000,000 Chinese into loyal Japanese subjects—in a word, to "Japanize" them, is indeed an ambitious aim. Formosa's proximity to China and the overwhelming preponderance of Chinese in the island are factors which, combined with the strong racial characteristics of the Chinese, make one hesitate to express a favorable opinion upon the subject. The Japanese in official positions in the island are by no means unanimous in an assertion of Japan's ability to Japanize

the natives. It is a question which time alone can answer. In the meanwhile, other nations will watch with interest Japan's labors in that direction.

Expenditure for education for the year 1906.

FOR THE LANGUAGE SCHOOL, INCLUDING THE EXPENSES OF THE MIDDLE SCHOOL, THE SCHOOL FOR NATIVE GIRLS, THE GIRLS' HIGHER SCHOOL, AND TEACHERS' SALARIES IN THE BANKA PUBLIC SCHOOL.

	Yen.
Teachers' salaries	52,852.14
Traveling expenses of teachers	2,050.75
Foreign teachers (English)	4,821.33
Students at government expense	30,291.07
Expenses of maintenance	10,048.07
Repairs	3,599.95
Miscellaneous expenses	6,963.30
Total	110,626.61

ELEMENTARY SCHOOLS FOR JAPANESE.

Teachers' salaries	34,492.80
Traveling expenses of teachers	1,907.93
Maintenance expenses	9,859.36
Repairs	4,305.15
Miscellaneous expenses	7,368.91
Total	57,934.15

PUBLIC SCHOOLS FOR CHINESE NATIVES.

Teachers' salaries	244,752.38
Teachers' traveling expenses	12,176.06
Total [a]	256,928.44

PUBLIC SCHOOLS FOR SAVAGES.

Teachers' salaries	13,430.45
Traveling expenses of teachers	868.90
Maintenance and repairs	5,642.20
Miscellaneous expenses	3,404.85
Total	23,346.40

SUMMARY.

Language school	110,626.61
Elementary schools for Japanese	57,934.15
Public schools for Chinese natives	256,928.44
Public schools for savages	23,346.40
Grand total	448,835.60

NOTE.—The Japanese yen exchanges at the rate 1 yen = $0.498 United States gold.

Of the above items, the expenditures for the Language School, which include, besides the Language School proper, the Middle School, the Girls' Higher School, and the Shirin Girls' School, are

[a] All other expenses are met from the district funds for the purpose.

met from the insular treasury; the expenditures for the elementary schools for Japanese are met from the prefectural treasuries; those for the public schools for Chinese natives are met from local taxes (for teachers' salaries and traveling expenses), revenues from school properties, and contributions; those for the public schools for savages from the prefectural treasuries. Tuition fees in all cases go toward the support of the schools from which they are collected.

It is to be noted that in the items set forth under the head of expenditures for public schools for Chinese natives there are included but the two items, "teachers' salaries" and "teachers' traveling expenses." These items are met from the local prefectural treasuries, while those for the maintenance, repair, and upkeep of the school are defrayed from the local tax assessments and properties belonging to the school.

TABLE 10.—*School statistics for the year 1906.*

Kind of school.	Number of schools.	Teachers.			Pupils.			Pupils entered during the year.			Graduates during the year.		
		Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
Public schools for Chinese natives	180	681	57	738	27,862	3,961	31,823	12,920	2,149	15,069	519	16	535
Public schools for savages	15	40	....	40	996	92	1,088	362	55	417	47	1	48
Banka Public School[a]	1	13	1	14	324	134	458	175	74	249	16	4	20
Shirin Girls' School	1	1	3	4	.....	24	24	.....	5	5	....	6	6
Elementary schools for Japanese	14	55	29	84	1,684	1,601	3,285	1,074	1,051	2,125	239	252	491
Higher Girls' School, for Japanese	1	5	6	11	.....	149	149	.....	81	81	....	....	.....
Middle School, for Japanese	1	.....	....	.....	213	.....	213	109	.....	109	19	....	19
Language School:													
Normal department—													
Chinese natives	1	.....	....	.....	197	.....	197	99	.....	99	44	....	44
Japanese	.....	41	....	41	20	.....	20	20	.....	20	20	....	20
Academic department—													
Chinese natives	.....	.....	....	.....	76	.....	76	31	.....	31	6	....	6
Miscellaneous schools[b]	13	55	8	63	430	78	508	455	30	485	36	17	53
Private Chinese schools	914	916	....	916	19,584	331	19,915	15,214	242	15,456	....	....	.....
Total	1,141	1,807	104	1,911	51,394	6,370	57,764	30,459	3,687	34,146	963	296	1,259

[a] Banka School is in reality a public Chinese school, and the figures given above for this school may well be included in those for public schools for Chinese natives.

[b] The item "miscellaneous schools" includes private schools for Japanese, a night school, a special law school (private), and missionary schools.

TABLE 11.—*School statistics for the years 1900 to 1906, inclusive.*

Year.	Number of schools.	Teachers.			Pupils enrolled.		
		Male.	Female.	Total.	Boys.	Girls.	Total.
1900	1,624	1,993	42	2,035	40,050	1,906	41,916
1901	1,712	2,203	47	2,250	46,386	2,682	49,068
1902	1,800	2,337	65	2,402	50,200	3,221	53,421
1903	1,550	2,195	71	2,266	48,662	3,881	52,543
1904	1,270	1,861	77	1,938	45,095	4,490	49,585
1905	1,259	1,892	92	1,984	46,476	5,444	51,920
1906	1,140	1,807	104	1,911	51,394	6,370	57,764

Year.	Students entered during year.			Graduates during the year.		
	Boys.	Girls.	Total.	Boys.	Girls.	Total.
1900	8,478	1,258	9,736	208	45	253
1901	9,040	1,501	10,541	112	38	150
1902	12,497	2,012	14,509	451	69	520
1903	10,199	2,058	12,257	302	87	389
1904	27,133	2,681	29,814	638	237	875
1905	25,686	3,261	28,947	737	230	967
1906	30,549	3,687	34,146	963	296	1,259

The figures above include all classes of schools entered in Table 10, but do not include the Medical School, the Agricultural School, or the Industrial Sugar School. These are considered separately.

APPENDIX.

MISSIONARY SCHOOLS.

A report upon education in Formosa would be incomplete without a description of the splendid work done by the foreign missionary societies.

(*a*) THE SPANISH MISSION.

Considering the proximity of Formosa to the Philippine Islands, it is not strange that Spain should have sent her missionaries to the island as early as 1626. From 1626 to 1642 Dominican friars carried on missionary work among the Pepohuans, or peaceful savages of the plains, in the vicinity of Kelung. The field of their labors embraced the country lying within a radius of 20 miles from Kelung. Churches were established in ten different villages, and during the sixteen years which the mission operated in Formosa ten fathers and three brothers of the Dominican order had come to the island. A school was opened on Palm Island, in Kelung Harbor, about the year 1630, and enrolled at one time as many as 400 pupils. This school aimed to teach the savages to read and write their own language in romanized characters, with the object in view of preparing them for work in the church. The educational work of the mission was confined to this one institution.

During the year 1642 the Dutch drove the Spanish from the island, and it was not until the year 1710 that any of the Spanish missionaries returned. During that year Father Manilla visited North Formosa, and reported finding one of the descendants of the Pepohuans, who had come under the influence of the Spanish mission prior to the year 1642, who was able to read and write the romanized native language. It was not, however, until the year 1850 that the Spanish mission was reestablished in Formosa. By that time all vestiges of the labors of their early missionaries had been entirely obliterated. During the year 1850 two Dominican fathers settled at Takao, South Formosa, and opened there a church and school.

Up to the present churches have been established in 20 villages throughout the island. Twelve Dominican fathers are in charge of these churches. At Cheng King, in the vicinity of Takao, there was established, in 1894, a girls' school and orphanage, which was placed in charge of a nun who was sent from Manila for that purpose. Since then two more nuns have come from Manila to assist at this girls' school. Chinese girls of poor parents or without parents are cared for in this institution. They are trained as housewives and married to members of the church, or as teachers for the school. There are at present 50 girls in the school. About 10 miles south of Taichu there is a school for the training of young men for positions in the church. This institution has an enrollment of 28 students, and is under the charge of two fathers, assisted by two Chinese teachers. The course of study extends over five years. These two schools are the only educational institutions at present conducted by the Spanish mission.

(*b*) THE ENGLISH PRESBYTERIAN MISSION.

As for Protestant missions, the English Presbyterian Mission considers South Formosa its field of labor, while the Canadian Presbyterian Mission cares for North Formosa. The English Presbyterian Mission was established in South Formosa during the year 1865. Its native chapels now number about 80. Up to the year 1883 all educational work in this mission was confined to training young men for the ministry. During that year Mr. George Ede came to Formosa to take charge of mission schools. After two years' training in the native Chinese dialect, he opened a school in Tainan, which was named the Tainan High School. In 1894 a special building was provided for the school. It accommodated 50 pupils. This school is at present under the direction of Mr. F. R. Johnson, assisted by three Chinese and one Japanese, who give half their time to the school. Instruction is given in Chinese, history, geography, arithmetic, and Japanese, the latter subject being taught in response to the Formosan government regulations pertaining to private schools under foreign management. English is taught to those only who pay a special fee in addition to the regular fee of $10 a year. The school has at present an enrollment of 48 resident male students. It accepts graduates of elementary schools provided by the mission. These elementary schools, or "local congregational schools," aim to reach the children of the local congregations. There are at present 10 of these schools. The curriculum provides a six-year course embracing the following subjects: Chinese (reading of the classics), reading and writing of the romanized Chinese, arithmetic, geography, and the Scriptures. Each of these schools has one Chinese teacher, and there are between 300 and 400 children under instruction.

The mission also provides a girls' school, which was established in 1887. It accommodates 50 resident students. At present there are 49 living at the school. The English women connected with the mission have charge, assisted by native women teachers. The curriculum covers the following subjects: Chinese, reading and writing romanized Formosan Chinese, arithmetic, Japanese, history, geography, Scriptures, and domestic science. A Chinese and a Japanese teacher give a few hours a week to teaching in this school.

In addition to the girls' school there is a women's school, where Christian women can live for a year or two for the purpose of receiving instruction in reading the Scriptures. There are at present 10 women living in this institution.

The training of young men for the ministry has received the attention of the mission from the time of its establishment in the island. In 1880 the first building for that purpose was erected. It accommodated 13 students and 1 tutor. During the year 1903 the present building was opened. It accommodates 40 students, but the number in actual attendance averages about 25. This school is under the charge of the Rev. Thomas Barclay, who came to Formosa in 1874 to join the mission. Besides a Chinese tutor, one Chinese and one Japanese teacher give half of their time in teaching in this institution. The curriculum includes the Bible, theology, church history, etc., and arithmetic, Chinese, Japanese, and singing. The course extends over four years. For practical training the students preach each Sunday at stations in proximity to the school. They are allowed $2.25 a month each to cover their expenses; married students are allowed a trifle more.

There are connected with the mission three hospitals, each of which is under the charge of a foreign physician. These hospitals accept a certain number of native young men for training. Classes are provided for theoretical instruction. Many of the graduates of these hospitals are doing splendid work as practicing physicians among the natives. Now that the Government

authorities permit only the graduates of the Government Medical School to become practitioners, there are fewer openings for the students trained in these hospitals.

For many years the mission has been publishing a monthly paper in romanized Formosan, which circulates among the native members of the church and undoubtedly exerts a beneficent educating influence.

(c) THE CANADIAN PRESBYTERIAN MISSION.

The Canadian Presbyterian Mission established itself in Tamsui, North Formosa, in 1872. It has now, distributed throughout the northern half of the island, 60 chapels with medical dispensaries attached. It maintains, at Tamsui, a school known as Oxford College, where native young men are trained as clergymen. A course of study similar to that prescribed in the Tainan theological school obtains here. In addition to the theological college, the mission also conducts a girls' school and a hospital. It is at present preparing to extend the scope of its educational work by the erection of a building for school purposes in the vicinity of the capital city.

From an educational point of view, the missionary societies in Formosa have been responsible for teaching thousands to read and write their own language, besides affording to many a modern common school education. The British societies have, in addition to their educational work, given to the natives free medical attendance. Now that the Japanese are establishing modern schools and hospitals throughout the island, it would appear that the labors of the missionaries in educational work would be less pronounced in the future than in the past; but, as the public school is at present designed to reach only those who are in a position to pay for its privileges, there is still room for the mission school.

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THE APPRENTICESHIP SYSTEM

IN ITS RELATION TO

INDUSTRIAL EDUCATION

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LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, September 17, 1908.

SIR: The interest in industrial education which has arisen in this country has brought into new prominence the whole system of training for trades by a regular course of apprenticeship. Education by apprenticeship and education by schools have gone on for many generations side by side as two entirely distinct and unrelated forms of education. The newer movements are concerned with bringing these two kinds of education together and making of them a new kind of education which shall train equally for skill and for intelligence.

This new movement is attended with obvious difficulties. It is clear that among other things a better knowledge of the apprenticeship system as it is to-day is urgently needed. With a view to meeting this need, Dr. Carroll D. Wright, who is known everywhere as a foremost authority in matters relating to trade education, has prepared at my request an account of the apprenticeship system, which I have the honor to transmit herewith. I beg to recommend that it be published as the sixth number of the Bulletin of the Bureau of Education for the current year.

There can be no doubt that the desired combination of schooling and apprenticeship must be approached from many sides and will be accomplished in many ways. The treatment of apprenticeship presented by Colonel Wright describes certain ways in which this combination may be effected, as shown by recent experience in a few of our leading industries. It will throw light also upon the subject as a whole, and will doubtless be of value even in those undertakings in which the problem is approached by altogether different ways.

Very respectfully,

ELMER ELLSWORTH BROWN,
Commissioner.

The SECRETARY OF THE INTERIOR.

INTRODUCTORY NOTE.

The bulk of the information or material on which this bulletin is based is the result of correspondence with parties throughout the country and of personal investigation of concerns employing the various types of apprenticeship systems. This original material has been supplemented in some degree by the meager information already to be found in publications and addresses.

In this work I wish to acknowledge the assistance I have received from Mr. Arthur D. Dean, a gentleman fully acquainted with all the elements of industrial education. He has made many personal investigations for this publication.

CARROLL D. WRIGHT.

CLARK COLLEGE,
Worcester, Mass., July 11, 1908.

THE APPRENTICESHIP SYSTEM IN ITS RELATION TO INDUSTRIAL EDUCATION.

A COMBINATION OF APPRENTICESHIP AND ACADEMIC EDUCATION NEEDED.

There are three well-known methods of securing greater skill in our industries. First, the apprenticeship system; second, trade schools; third, industrial schools. The first means the indenturing of apprentices in any given trade for the purpose of giving instruction to young men in the art and mystery of the trade involved. This system, which is very old, reaching back to ancient times, was developed very largely in mediæval times in connection with the old guilds, and under various modifications extends to the present.

Nearly all writers and speakers on industrial education state broadly and definitely that the system is dead. In one sense this is true. Yet the old type of apprenticeship is not quite dead, because it exists very largely in this and in other countries, but it is decadent, while what may be called the modern system, involving very broad lines of general instruction, has largely taken its place, and is being developed in such a way that its influence in general industrial education must be recognized. Yet the propagandism for industrial education which now occupies the thought of the public is likely to obscure to some extent the advantages of the apprenticeship system. This is quite natural, because that system, as it occupies the public mind, does not play a very great part in industrial training. This is because it is not the subject of public indorsement through legislation and other movements to secure modern industrial schools.

As intimated, when this system is mentioned one is apt to think of the old apprenticeship system as it existed prior to the introduction of the modern factory or the aggregated system of labor and the subdivision of labor; yet credit must be given to the old system, even as it grew up during the middle ages, because it really produced workmen in various branches possessing the highest skill.

The old guild fostered the apprenticeship system, for it was difficult for anyone to become a member of a guild who had not passed through all stages of development; and while the guild itself became

unjust and arbitrary and gradually declined, the apprenticeship system which had furnished the skill lived, for the laws and customs of western Europe especially required that any person desiring to exercise certain branches of skilled labor must serve an apprenticeship. During the continuance of the apprenticeship the labor of the apprentice belonged to the master, and he received oftentimes no wages during the first years of his indenture, and very meagre wages until he became a journeyman, when he was expected to reimburse himself for the years spent in learning his trade.

The industrial revolution which took place in the latter part of the eighteenth century, resulting in the introduction of labor-saving machinery and the subdivision of labor, was the beginning of the decline of the apprenticeship system. From that time to this the need of apprentices has not been felt in such powerful degree as it had been previously; but with the modern development of industry there comes the absolute necessity of securing skilled workmen in all branches of labor, and this necessity has brought to the attention of the public the desire for industrial education; for the evidence is overwhelming from all parts of the country that the demand for skilled labor is not met by the supply. It is this demand, the facts concerning which are strong enough to induce any State to secure by appropriation and authorization public industrial education. The schools have been devoted almost entirely until within a very few years to cultural training. Now the demand comes that vocational studies shall be introduced, and that separate industrial schools shall be organized for the purpose of instructing young persons in various trades.

The old apprenticeship system did not comprehend this idea, nor, conversely, do the advocates of industrial education fully appreciate the advantages to be gained through some adherence to or the perpetuation of the virtues of the old system. This old system, as intimated, has largely become obsolete. Its essence remains, but it is unwarrantable to argue that the apprenticeship system answers the whole demand for industrial education. It does not, but it may do so to a large degree. It is also thought needless to argue that the industrial schools furnish everything in the way of vocational equipment that can be gained by a thorough apprenticeship system. What is needed in regard to this system is some coordination that shall secure nearly all that can be gained from the apprenticeship system and much that can be gained from modern schools for trade and industrial education generally.

Herein lies the problem, for it is generally conceded by educators who are interested in industrial education that the industrial school per se does not and can not result in turning out a full-fledged skilled mechanic ready to take up his trade.

It is also recognized that the apprenticeship system on the whole, especially as it was conducted formerly, possesses many features that are unjust and uneconomic, and some features that may be called unmoral. That is, the ethical side of the apprenticeship system of the olden times is now a satisfactory one. Under it the apprentice found that he was doing quite as good work after a while as the journeyman ahead of him, but must be tied to an apprentice's wages a term of years. This was an unmoral situation in itself and helped to demoralize the apprentice. He became, when he graduated, a man who would slight his work because he had been unjustly treated economically. At least this was the case in many instances, and this tended to make a bad workman as well as a man given to loafing.

Now, the modern idea is to perfect him in the theory, and, to a large extent, the practice of his trade in the shortest possible time commensurate with efficiency and adequate skill. If he could serve as an apprentice for such time as might be absolutely required to perfect himself as a journeyman, and at the same time acquire the rudiments of an education, that system might be applauded.

Employers therefore looked the field over broadly and carefully, and those engaged in great industries are recognizing not only the difficulties of the old system, but some of the difficulties of the new, while recognizing also the advantages of both. They are therefore establishing their own apprenticeship schools, where a youth is not only taught all that he would be taught in an independent industrial institution, but where he is given the equipment he would have acquired under the old apprenticeship system, with the faults and objections of that system quite fully eliminated.

The apprenticeship system pure and simple would not teach the apprentices, as would the industrial school properly equipped, all the science and art of the trade in which they were enlisted. In order to become a thoroughly skilled mechanic a young man ought to understand not only the science and mathematics of his work, but something of the art itself. This knowledge of the art he would gain as an apprentice in one of our great modern manufacturing establishments, so that he would secure from his apprenticeship system and from the industrial school, or from the two combined, the very best possible equipment that would lead to the greatest efficiency. This is the need of the day and the work that is progressing.

The propagandism that is being carried to all parts of the country will sooner or later, and the sooner the better, produce a unified, coordinated system of apprenticeship work and industrial education that will give the United States the standing it needs, and which it must have to preserve its industrial supremacy. The development of

the apprenticeship system, however, will not take from the influence of other methods any of their peculiar and important work.[a]

DESCRIPTION OF THE SYSTEMS WHICH HAVE DEVELOPED.

The trade school as it is now carried on is a school to provide instruction in the mysteries and technique of special trades. Thus we have trade schools for carpenters, brick masons, machinists, etc. These trade schools supplement the trade instruction with the rudiments of an education, if the pupil does not already have them. He is taught reading, writing, arithmetic, and how to apply his knowledge of elementary mathematics to the particular trade which he is studying. He may get some other instruction which involves practice in a shop connected with the trade. Such schools flourish in Europe and America.

Trade unionists object to them because they do not and can not, in their estimation, turn out the full-fledged artisan, the man ready to go to work on his graduation. They also fear that the trade school will in many instances furnish recruits to take the places of strikers, thus aiding in the breaking of strikes. Unfortunately for this attitude, some prominent manufacturers have stated that this would be the result of any extended system of trade-school instruction. It is purely and simply an apprehension, but an apprehension has great weight until the minds of those holding it are disabused of their fear.

Those who believe in broad industrial education are also of the opinion that the trade school pure and simple is inadequate, that it does not go far enough, that it often teaches a single trade, and that adequate teaching of trades can only be fostered in large schools devoted to mechanical instruction. Nevertheless, the power and influence of the trade school must be recognized, and the fact that it has taken its place as one of the modern means of securing that skill which is overwhelmingly demanded everywhere, especially as a means of training our own boys how to work and training them in the best possible way.

The best equipped public industrial schools have all the machinery and appliances necessary for the instruction of the students, and teachers competent to instruct them in the branches of general education. Probably, too, often in large degree, they help to bridge over that dangerous period in the lives of young persons before they are old enough to enter upon an apprenticeship. This age is, accord-

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[a] The foregoing section has been taken, with some alterations, from The Apprenticeship System as a Means of Promoting Industrial Efficiency. An address by the writer before the National Society for the Promotion of Industrial Education, Chicago, Ill., Jan. 24, 1908.

ing to the laws of most of the States, from 14 to 16. Fourteen is the usual limit of the compulsory school age for those who are at work. Boys, and in many instances girls, coming out of school at that age are in a peculiar position. They are not old enough to enter upon specific trade education, either in trade schools or industrial schools, nor are they old enough to be desirable as apprentices under the apprenticeship system. They therefore take the line of least resistance in the nonskilled vocations and work from hand to mouth, and are too apt to remain as unskilled workers throughout their lives.

The report of the Massachusetts Commission on Industrial and Technical Education, known as the Douglas Commission, in its exhaustive investigations, found that in the State of Massachusetts alone there were at least 25,000 children between 14 and 16 who were in this precarious condition. This is undoubtedly true, and must be true throughout the country. Thus there are many, many thousands, reaching into the hundreds of thousands, that are in adverse conditions and must remain therein, because there is no adequate means for their entering upon well organized and fairly skilled trades. Here elementary industrial training in the public school has a large field for most useful activity.

The industrial school, so called, can not be definitely differentiated from the trade school, yet it is in fact distinct. It is not designed to teach any one trade, but groups of trades, plus rather advanced work on academic lines.

The industrial school must be equipped with machinery, tools, and all the appliances of the trades it undertakes to teach. It must have well organized class-room work, so that the students can secure all the results of education necessary for the practical working of their trades. It helps also to fill the gap between 14 and 16 years of age in rather a better way than does the trade school pure and simple. The industrial school or industrial education involves not only separate schools for the purpose, but industrial courses in the common schools, the idea being that by this method boys and girls will be kept in high school work longer in many instances than they would be under the public school system without vocational training.

It is also asserted and thoroughly proved that in industrial schools, as distinguished from pure and simple trade schools, the academic work will be all the more valuable because allied to industrial training. The advocates of this system also believe that it is practically an extension of the manual-training idea which spread over the country so rapidly a few years ago. It is not aimed under manual training to teach boys or girls any definite line of work, but to familiarize them with the use of tools and some of the art of mechanical work.

The industrial school advances this proposition and makes it a practical means of developing skill along specific, practical, and useful lines, and it is this idea that is holding the public attention at the present time. As already intimated, it combines shop work with academic work. Thus the graduate of an industrial school is in a position to enter upon the trade selected with a degree of equipment that could not be obtained by the trade-school method alone, although the two forms are very closely connected and associated. Whether the apprenticeship system can under certain conditions and in particular localities take the place of either of these depends upon the development of the modern apprenticeship idea, as will be shown. This work, therefore, will deal specifically with the apprenticeship system in its relation to other systems of industrial training and education, but it must be understood that in this consideration there will be no effort made to belittle the trade school or the more advanced industrial school in any respect whatever. The writer is a warm advocate of industrial training and education, but it has seemed to him that the time has come to consider the apprenticeship system in relation to these other methods as one that should be brought to the attention of the public.

ORIGIN OF THE MODERN APPRENTICESHIP SYSTEM.

The old legal indentures of 1840 and before in England and America have very generally passed away in this country. In 1864, at a convention of employing printers, the apprenticeship system was generally spoken of as in disuse for twenty years; some insisted that it was entirely gone, and all writers and speakers of that period made similar statements. Excepting the case of isolated employers who used it for dishonest purposes in the acquiring of boy labor under conditions of practical contract slavery, it may be said that the English legal indenture system had at that time quite disappeared. So at that time also the apprenticeship system of America was in a state of chaos. Individual trades or individual employers attempted to meet the situation in varying ways as best subserved their private interests, but of established, permanent, and general apprentice systems it is quite true that they were nearly gone, certainly obsolescent.

All parties then agreed as to the evils of the situation. Employers and employees alike bewailed the general decline of mechanical skill and the flooding of skilled trades with half-skilled labor. The employees insisted, and with bitter voice, against the competition of half-skilled, cheap labor, which was reducing wages. The labor papers discussed the low standard of mechanical skill, the advantages of the European form of apprenticeship, and the danger to the American

industrial world of a decline in the quality of American workmanship in the face of the maintained quality of European workmanship. These conditions were intimately connected with the transition in various trades due to the introduction of machinery and the division of American labor. So the period of the sixties found the country with the old American system either in disuse or seriously depreciated, while the modern system was yet unborn. But it is in the struggles of the sixties that there is to be found something of the origin of the modern system.

It was found in the hide and leather trade that there was one subject connected with the industrial interests of the United States which needed to be considered, debated, and studied over to a greater degree than any other subject pertaining to domestic wealth creation, and that was the apprentice system. The Daily Evening Voice, Boston, January 29, 1867, voiced the sentiment of that time when it ventured the assertion that there was not a single tradesman or master mechanic in Europe who would employ a journeyman at the age of 21 who had been allowed to stride through his apprenticeship in two or three years, and in that time had been under the instruction of perhaps three or four masters.

The employing printers came quite near to the desires of the labor unions, and they felt (1) that the decline in the quality of printing skill must be stopped; (2) that under such excessive competition as existed it could only be stopped by a legal system of apprenticeship which would prevent the competition of partly trained workmen with the journeymen, and compel thorough training of apprentices. They favored quite generally a five-year apprenticeship.

Employers in other trades took a different position, opposing rather than favoring a binding system of apprenticeship, and favoring rather than opposing the introduction of partially skilled labor into the various trades. By "partially skilled" they meant labor skilled in a single part of a trade, i. e., a division of labor system. They felt that this kind of labor took less time to train and could in many instances take the form of boys, and was much cheaper than journeyman labor.

The employing plasterers, iron founders, glass manufacturers, leather manufacturers, and others contended for unlimited apprenticeship. The printers and the Illinois Central Railroad officials, who were most favorable at that time to regular apprenticeship, made no specifications as to limiting the number of apprentices. The employers were profiting by the cheap labor incident to wage competition in the skilled trades through a flooding of those trades by men and boys who had picked up a single line of the trade, and so they opposed any established system of apprenticeship which compelled

them to thoroughly teach the boys and limited the number of apprentices.

The position of the laborers upon the question of apprenticeship was such that it has seemed advisable to divide the whole matter into two parts, (1) the general labor attitude with regard to apprenticeship, and (2) the position of certain trades with regard to apprenticeship.

In regard to the general labor attitude, there were four main principles upon which the laborers of the sixty period seemed almost unanimous, and these were: (*a*) The limitation of the period of apprenticeship, in almost every case, to not less than five years. The strength of this five-year movement may be judged from the fact that in at least four States they attempted to make a legal limit of five years. (*b*) The limitation of the number of apprentices. The unanimous feeling among mechanics was that the cause of low wages, lack of work, and powerlessness of workers to withstand oppression by employers was due to an excessive number of workers in the various skilled trades, and that the outlook for the future was getting increasingly darker because of the continual pouring in of more boys. (*c*) The compelling of the employer to teach the whole trade to the apprentice. The workers continually complained, and the employing printers at least acknowledged the justice of their complaint, that at the end of the apprenticeship period a boy no longer knew his trade, but had been specialized upon some one part of it. (*d*) That a legal system of indenturing, very similar to the decadent system but purified of its abuses and adapted somewhat to modern conditions, was the only remedy for the situation. In Massachusetts, Pennsylvania, New York, Illinois, and Ohio efforts were made toward apprentice laws, and in Massachusetts a law was actually passed. The laws urged in Massachusetts, Pennsylvania, and New York were practically, if not quite, identical, the Pennsylvania agitation of 1864 being the first, Massachusetts following in 1865, New York and Illinois in 1869. The law of Illinois differed from the others in allowing a three to five year instead of a five-year period, and in requiring the consent of any minor over 15 years of age to his indenture.

The petitions which were presented to legislators in various parts of the country demanded, (1) that the apprentice should be legally bound for five years; (2) that the master should be compelled to teach him the entire trade and provide necessary schooling; (3) that the master should be responsible for his moral training; (4) that the number of apprentices should be limited.

The labor papers of the time had much to say upon the whole subject. The Chicago Workingmen's Advocate, Fincher's Trade Review, and the Daily Evening Voice, perhaps three of the most representative labor papers of the sixties and seventies, were thoroughly

in favor of the system of apprenticeship established by law, rigidly controlling master as well as boy, and strictly limiting the number of apprentices in accord with the actual needs of the trade and at a number that would enable the maintaining of a good scale of wages.

The position of individual trades at the time is interesting. The hatters and granite cutters found the conditions in those trades were the same as in others, and the general attitude to the apprentice question was the same. The National Railroad Engineers were not working for an apprenticeship system of the nature of that demanded by the other trades, but they demanded what amounted to the same thing, namely, a State board to oversee the training of and to examine engineers. The machinists, blacksmiths, stove molders, shoemakers, cigar makers, printers, bricklayers, plasterers, and stone cutters all stood for a definite time limit, for the limitation upon one basis or another of the number of apprentices, and the prevention of competition between journeymen and boy helpers. The machinists, blacksmiths, and stove molders favored a law upon the subject, and so far as ascertained all the above-named organizations backed the petitions in various States for laws regulating apprentices.[a]

It will be seen from the foregoing very brief summary that in the period from 1860 to perhaps 1872 the seeds of the modern apprenticeship system were planted. That system has been of slow growth comparatively, and yet its growth has effected a revolution in the form of apprenticeship, clearly marking the present aspect of it in all its elements from the old system which prevailed for so many hundred years.

EXTENT OF THE APPRENTICESHIP SYSTEM.

THE UNITED STATES.

In round numbers there are 225,000 manufacturing establishments in the United States. It is impossible, without taking a census of the whole number, to ascertain how many have adopted any form of apprenticeship, but from all that can be learned there must be many, many thousands. It would be well if at the next (13th) census of the United States, there could be introduced into the manufacturers' schedule one or two simple questions that would bring out facts as to the extent of the application of the apprenticeship system. The census need not go into details, but an inquiry as to the existence of such system would furnish the Bureau of Education, or any other instrumentality, the opportunity to examine into the methods, character, and elements of the system as it now prevails. Undoubt-

[a] This information as to the attitude toward the apprenticeship system in the sixties was prepared by Mr. Lescohier for the Bureau of Economic Research.

edly such an inquiry would show that while the old system, which is now objected to, exists in large degree, it is very quietly but quite rapidly giving way to what may be known as the modern system of apprenticeship. There are a few facts, however, which entirely disabuse the mind of the idea that the apprenticeship system as such is dead. These facts are quite meager, but they are indicative.

The report of the apprenticeship committee of the National Machine Tool Builders' Association throws some light upon this question. This report, printed in the American Machinist of November 22, 1906, states that in order to make a thorough analysis of the apprenticeship systems now in use throughout the United States the committee addressed 100 representative concerns throughout the country. Fifty-nine of these letters were addressed to machine tool builders, and 41 to other manufacturing concerns, such as electrical manufacturers, engine builders, automobile manufacturers, etc., who represented what the committee termed the "allied trades."

Replies were received from 51 machine-tool builders and from 26 concerns engaged in other lines. Eighty-two per cent of the concerns replying who had apprentices under the indenture system were machine-tool builders, and 18 per cent were from allied trades. The replies from various sections of the country showed that a large percentage of the concerns employing apprentices were located in New England, the Middle Atlantic States, and the Central Western States, and the majority of them enter into formal agreements to properly instruct the apprentices during a stated period of service.

In the Twenty-seventh Annual Report of the Massachusetts Bureau of Statistics of Labor there is a very excellent part devoted to the apprenticeship system. From replies to an inquiry sent to employers and officers of trade unions asking if there were a system of apprenticeship in the trade represented it was found that out of 58 employers engaged in different industries 31 had a system of apprenticeship and 27 had no such system, while from 104 officers of trade unions 55 represented trades in which the system was applied and 44 trades where it was not applied. These trades represented boots and shoes, carriage and wagon builders, clocks, watches, clothing, cotton goods, electrical apparatus and appliances, food preparations, furniture, hosiery and knit goods, jewelry, machinery, metals and metallic goods, paper, printing, railroad construction, rubber goods, scientific instruments, shipbuilding, and other trades.

President Charles S. Howe, of the Case School of Applied Science, Cleveland, Ohio, in 1907, sent a letter to 400 manufacturers in the State of Ohio making certain inquiries relative to the apprenticeship system, and received replies from 124, including nearly all the large concerns among the 400 addressed. Of the 124 who answered 44 had no apprenticeship system and were not especially interested in

it; 24 had no system, but were interested. The superintendents of these 24 stated that they had no apprenticeship system because they had very few men employed, but they hoped, as soon as their facilities increased and their work expanded, to establish such a system, at least to a limited extent. Fifty-six companies answered that they had apprenticeship systems more or less complete, but most of them gave the apprentices nothing more than was absolutely necessary to enable them to do their work in the particular trades engaged in with fair success.

The results of an inquiry by Messrs. Cross and Russell, of the New York Central lines, as to how far the large railroads have adopted apprenticeship systems, are given on p. 43.

The present investigation, undertaken in view of the magnitude of the subject, the great number of manufacturing concerns in the country, and other conditions, took into account the actual extent to which the apprenticeship system is applied, and information was received from nearly every State in the Union that the system was in vogue. The descriptions of the system show that it varies as local conditions vary and as conditions accompanying industry vary. The object of the investigation was not so much to ascertain the number of manufacturing concerns adopting some form of apprenticeship system as to determine the kind of system which is prevailing, with the point always in view of the relation of such system to industrial education, broadly speaking; but incidentally the investigation has developed the fact that the apprenticeship system is a power to be reckoned with, and that it exists in all parts of the Union, and not only that, but that law protects to some extent the employment of apprentices, although in many instances, of course, such laws are practically dead letters. But the conclusion that the system does prevail in all parts of the Union and under varied conditions, and to an extent that has not been realized, is thoroughly warranted.

Not only here in the United States is the apprenticeship system in process of being resuscitated along expansive lines, in order to meet modern conditions of production in great manufacturing establishments, but many countries in Europe have for some years been perfecting this process, coordinating the apprenticeship system with general trade and industrial instruction.

AUSTRIA.

Austria, while perfecting her system of industrial schools, has not abandoned the apprenticeship system as a valuable means for imparting trade training. On the contrary, the effort has been made to perfect this system, and this effort constitutes one of the most important and interesting phases of the modern movement for the

making or developing of skilled workmen. It has been shown in that country that the chief means by which the apprenticeship system can be preserved and brought into harmony with existing industrial conditions is through the formation of trade associations after the models of the old guilds.

These guilds, for many years declining in importance, had, at the time of the enactment of the industrial code of 1859, reached the last stages of decay. This code, as one of its main purposes, attempted to restrict the power of these associations. But it made it obligatory upon employers to maintain their relations, or to restore them when they had been discontinued. Further efforts to reorganize the guilds, so as to bring them more in harmony with the change in industrial conditions, were made in the laws of 1883 and February 1897. The first of these laws is of special importance. It established the guilds upon a new basis, which exists at the present time, as the law of 1897 introduced but slight modifications.

The most important feature of the law of 1883 was that whereby the fundamental difference between conditions in the large industrial establishments or factories and those in the handicraft trades was recognized. The functions of these guilds show to how large an extent they are bodies to look after the training of apprentices. Their duties are, (1) to maintain harmonious relations between employers and their employees, especially in respect to the organization of the labor force, the provision of guild shelters or lodges, and the securing of employment for persons out of work; (2) to provide for a satisfactory apprenticeship system by the preparation of regulations regarding the technical and moral instruction of apprentices, the length of their terms of service, their examinations, etc., and watch over the compliance with these regulations; also to determine the conditions required for the keeping of apprentices, and the number of apprentices in proportion to the number of other employees; (3) to create arbitration committees for the adjustment of disputes between members of the guilds and their employers arising out of their relations; (4) to further the establishment of, and themselves to establish and maintain trade schools; (5) to care for sick employees through the creation of new or the support of existing sick funds; (6) to care for sick apprentices; and (7) to make an annual report of the work of the guild which may be of use in the preparation of trade statistics.

They have other duties of a general character. The employer, under a contract made in accordance with the code, must interest himself in the industrial education of the apprentice and must not deprive him of the time and opportunity necessary for this purpose by using him for other purposes. The employer or his representa-

tive must look after the morals and deportment of the minor apprentices both inside and outside the workshop. He must see that the apprentices are not required to perform work, such as transporting burdens, etc., which is beyond their physical strength. He is further required to allow apprentices who have not yet been absolved from the obligation to attend an industrial continuation school the necessary time for attendance at the existing general industrial continuation schools, as well as the trade continuation schools, and also to see that they do attend such schools.

These provisions are by no means a dead letter. They set forth the actual conditions under which most of the handicraft trades are learned at the present time.

BELGIUM.

In Belgium there are several apprentice shops for girls. They are perhaps the least important of all the classes of institutions for girls, but they have a direct bearing upon the relation of the apprenticeship system to general industrial education.

An apprenticeship workshop for girls was created at Jemelle in 1877 through the joint action of the commune, the province, and the State. In 1890 a housekeeping school was annexed to it. In this school are taught hand and machine sewing, garment making, knitting, the washing, mending, and ironing of linen goods, culinary operations, and all the accessory work which must be done by a good housekeeper or working woman in this country.

In 1873 the communal council of Écaussines-d'Enghien, upon the solicitation of the master quarrymen, decided to open a shop in which young boys could receive instruction in the trade of stonecutting. This action was taken because there was a distinct lack of workmen capable of doing other than the most ordinary work of stonecutting. The apprentices in this shop worked on stone brought in by the various master quarrymen who adhered to the shop idea. There were some grave defects in this institution, as, for instance, the great difficulty found in securing continuous work for the apprentices, which caused a change of system. Until 1890 there was but one shop of this kind. In that year, however, a thorough reorganization was effected and the multiple shop system was adopted. Shops belonging to employers were established in the quarries and the time formerly lost in transporting the stone was thus saved. The apprentices were brought into immediate touch with quarrying and cutting operations of all kinds. The work executed by the boys is paid for according to the rate prevailing in the quarry.

The effort is made to bring the apprentices to a higher perfection of skill rather than to exploit them in their labor.

GERMANY.

In Germany there have been considerable development and supervision of the apprenticeship system, but to understand this there must be some knowledge of the great efforts that have been put forth for the preservation of that system in those trades in which it has been adopted, and it must be remembered that in Germany, as in no other country, the people have been unwilling to break with the past.

Nowhere else, with perhaps the exception of Austria, has the contest between the two systems, namely, that of handicraft, or production upon a small scale, and that of the factory, or production upon a large scale, been more bitterly fought. The attempt to preserve the handicraftsman and the small trades is one of the features of labor legislation in Germany during recent years. It has had as its result the formulation of two distinct industrial systems—the handicraft and the factory—and the enactment of labor codes for each. The legislation regarding the factory trades follows in all essential particulars that of other industrial countries. The legislation regarding the handicraft trades is utterly unlike that of England and the United States, and is closely followed only by the Austrian system, the central feature of which is the restoration to power and influence of the old guilds, and through them of the apprenticeship system, with all the features of training of boys by masters for whom they are working. The history of this legislation in relation to apprenticeship, the guilds, and the handicrafts generally may be very briefly summarized.

During the early years of the nineteenth century the main purpose of the industrial legislation of Germany was the freeing of industry from the many restrictions that had been imposed upon it in the past. In 1845 this legislation culminated in the enactment of a general labor code. In removing many restrictions, however, the effort was made to maintain the old guilds. The reason for this action was chiefly the desire to preserve the apprenticeship system. It was thought that the education of apprentices was a matter that should not be left to the hazard of purely private contract. At the same time the Government was not ready to introduce a system for the official examination and regulation of apprentices. The law therefore defined anew the duties and rights of guilds, and assigned to them the care of the interests of their trades, the regulation of apprenticeship, and the establishment and maintenance of relief funds for their members.

Though many years of agitation accompanied the movement in Germany, the agitation was not productive of any results until 1881. While failing to establish the principle of compulsory guilds, the law of July of that year gave voluntary guilds a privileged position. It made them organizations of employers and journeymen carrying

on a trade on their own account, with an authority of their own, and power to enact certain regulations, especially as regards apprenticeship, which should have all the force of law, even in respect to journeymen not affiliated with the guilds. Finally, after a long series of laws, the efforts culminated in the very important law of July 26, 1897, in which were consolidated all the legal provisions regarding guilds, journeymen, and apprentices.

The constitutions of nearly all guilds provide that the members of the guild obligate themselves to require of their apprentices attendance upon a trade school recognized by the guild, and to encourage them to arrive promptly at the school and to apply themselves with sustained zeal. As regards the instruction given, everything is subordinated to making it as practical as possible. The courses are in no sense those of institutions preparing for secondary technical schools. Their purpose is solely that of making the students more efficient workmen in the trades in which they are at the time apprenticed. These schools are thus trade schools in the fullest sense of the word, and accordingly show the alliance between the apprenticeship system and the broader industrial education.

SWITZERLAND.

In Switzerland there is provision for the supervision of the apprenticeship system. The regulations are quite minute but very comprehensive. Their aim is to elevate apprenticeship and develop the professional value of workmen in the various arts and trades, etc. Among other things apprentices must be given instruction; the employer either himself instructs or causes the apprentice to be otherwise instructed in a gradual and complete way in the profession, art, trade, or branch of trade which is the object of the apprenticeship contract; for each apprentice must be allowed during the work period such time as is necessary for the performance of his religious duties and the scholastic instruction required by law.

The laws of the different cantons provide for the supervision of apprentices, their examination, penalties for breach of contract, duties of the master, duties of the apprentice, civil duties, etc.

FRANCE.

In France much progress has been made in the resuscitation of the apprenticeship system. Evidence of this is observable in the apprenticeship school of the Industrial Society at Nantes. Practical work in this school is all done in the shops where the apprentices are employed, while the studies are both technical and general. The subjects taught are free-hand, linear, and ornamental drawing, French language, arithmetic, algebra, geometry, descriptive geometry, book-

keeping, physics and chemistry, and mechanics. The society possesses a library of several hundred volumes relating to industrial and economic subjects, apparatus for physical and chemical demonstrations, and a collection of designs and models for the use of pupils. This school is supported by contributions from the State, from the department in which located, from the city, from the chamber of commerce, from trade unions, and from various individuals.

There is at Paris a school for cabinetmaking maintained by the Association for the Protection of Apprentices, in which the modern idea of the development of the apprenticeship system is clearly marked. The aim of the association is to give the apprentices a theoretical training which they do not obtain in the shops, to further the progress of the industry by creating through manual competitions a rivalry among apprentices and young workmen, and also to stimulate designers through competitions to the development of new ideas in decoration, etc. The courses are open for ten months each year, the programme of theoretical work comprising drawing from relief, technical drawing, elementary geometry, descriptive and applied geometry, perspective, and modeling.

HUNGARY.

In Hungary industrial education is organized in a complete system, all the parts of which are organically connected. Its organization is uniform, though it makes allowance for local conditions and needs. It is divided into two parts—apprentice schools and technical schools proper. The former are under the control of the department of education, the latter under that of the department of commerce, this department having a special bureau for industrial education. Teachers of apprentice schools are usually teachers of common elementary and high schools, who teach in these evening and holiday schools for a small additional salary. The complete system of industrial schools consists of (1) apprentice schools; (2) journeymen's schools; (3) trade schools; (4) industrial technical schools; (5) higher industrial schools; (6) women's industrial schools; (7) industrial drawing schools, or schools of design; (8) one public lower industrial school; (9) schools of general culture, in which some industrial branches are taught; (10) industrial museums.

From this classification it is seen that the lowest step of the system is the apprentice school, under the control of the minister of education. The branches of instruction are (1) the mother tongue; (2) geography, history, and nature study; (3) penmanship; (4) arithmetic and bookkeeping; (5) drawing and sketching. Thus the Hungarian schools are in direct line with modern efforts to secure general industrial education.

In England there has been no such development of the apprenticeship system as is found in the United States and in the countries to which reference has been made. In these countries many more examples might be cited, but the above seem sufficient to indicate the course of events. It will be seen, when descriptions and types of apprenticeship systems existing in this country are given, that we are quite up in line with the foremost endeavors of educators elsewhere in the field of industrial methods.

STATUTORY REGULATIONS RELATING TO APPRENTICES.

Forty-three of the 46 States in the Union have laws relating to the employment of apprentices. The three States having no such laws are Idaho, Nebraska, and Wyoming. The District of Columbia, governed by Federal legislation, has laws relating to the subject. Nearly all these laws protect the minor apprentices, and all require that masters shall teach the apprentices the trades in which they are engaged, while 38 States provide that in addition to the trade, its art and mysteries, the apprentice must be taught the common English branches of education in some public or other school, or through such other means as the employer may provide. Thus these laws in 38 States result in an alliance between pure trade education and such schooling as every youth entering business should have.

As a rule the branches to be taught are reading, writing, and the rules of arithmetic to a certain degree. The States that have no schooling provision in their apprenticeship laws are Connecticut, Maine, New Jersey, Oklahoma, Pennsylvania, South Carolina, Vermont, and Washington. While the apprentice laws of the different States are somewhat voluminous and it is not worth while in this work to print them in full, a very brief digest appears in the appendix.

THE ATTITUDE OF TRADE UNIONS TO THE APPRENTICESHIP SYSTEM AND TO INDUSTRIAL EDUCATION.

As already stated, trade unionists are as a rule opposed to trade schools, and for the reasons stated. They do not oppose broad general industrial education and are very favorable to night or continuation schools, the latter furnishing opportunities for men already in trades, journeymen and others, to acquire information concerning the science and art of the trades in which they are working. The resolutions adopted at the last annual convention of the American Federation of Labor were most encouraging in this respect, and indicated clearly that there was no deep-seated prejudice on the part of the unions. Everywhere they are beginning to understand that industrial education does not injure those already engaged in industry.

The limitation of the number of apprentices in each trade is something of a bugbear. So far as the facts are concerned, it is quite true that the number of apprentices agreed to by the unions is ordinarily in excess of the number that the trade could absorb. Up to about 1840 no attempt had been made by any local union to limit the number of apprentices other than the mere requirement that applicants seeking membership must have completed their terms of service, nor is any regulation of apprenticeship found in the written constitution adopted by any of the unions prior to 1840 or thereabouts.

The Typographical Society of New Orleans was the first local printers' union to place a limit upon the number of apprentices, and this practice by the New Orleans union was extended to other local unions, and finally adopted as a fixed policy by the International Typographical Union.

The president of the International Union of Bricklayers, at its second annual convention, announced its policy as follows: "The system of apprenticeship is the very cornerstone of our institution, and it received the earnest attention of the previous convention, and if the article in our constitution is carried out, it will be a monument that we will be proud of."

Following the organization of international unions the apprenticeship question was developed along distinctive lines. So in the cigar making and building trades and others rules were adopted, while in other trades, such as iron molding and glass blowing, the international union early formulated detailed apprenticeship regulations which every local union in any way connected with the international organization was bound to accept and enforce.[a]

As a rule apprenticeship is very largely determined by trade agreements, i. e., by agreements between the employer and employees. Doctor Motley in his excellent work, Apprenticeship in American Trade Unions, just quoted, in concluding a chapter on apprenticeship determined by trade agreement, says:

> The general purpose of the apprenticeship system, namely, to provide an adequate supply of competent workmen, has been practically the same from the beginning of the trades in this country to the present time, but special phases of it have been emphasized at different periods. During the early period the master was not restricted in employing apprentices, and often engaged a large number in order to receive the benefit of their low wages. The opposite tendency was emphasized by the union; for the interest of the journeymen was largely considered, and a rigid limitation made of the number received. The feature greatly emphasized at the present time, especially in those trades in which the finished product enters into keen competition, is the uniform ratio for all competing shops. In securing this object, conciliation has been the method most generally adopted.

[a] See Apprenticeship in American Trade Unions, by James M. Motley, Ph. D. Johns Hopkins University Studies in Historical and Political Science, Series XXV, Nos. 11–12 (Nov.–Dec., 1907).

Doctor Motley states that of the 120 national and international trade unions, with a total of 1,676,200 members, affiliated in 1904 with the American Federation of Labor, 50 unions, with a membership of 766,417, did not attempt to maintain apprenticeship systems. The remaining national unions, i. e., about 70 of the 120, with a membership of 900,000, together with some half dozen unaffiliated national unions, attempted more or less successfully to enforce apprenticeship regulations.

It is quite true that in many trades the union regulations relative to the employment of apprentices are disregarded wholly or in part by both the unionists and their employers. The prejudice against any form of industrial education, which still exists, as has been said, toward the trade schools, is disappearing, and in many instances boards of management of local schools have upon them representatives of the unions involved. Unionists are also beginning to understand that in increase in skill, as well as increase in numbers of skilled workmen, is to be found that stability of wage and other conditions to be desired, rather than in the reverse.

In Massachusetts, where the State has already been committed to the subject of industrial education by positive statutory provision, the antagonism of the unionist is rapidly fading away, and he is taking an honorable part in the projects for industrial schools and industrial training in the public schools.

The relation of the apprenticeship system to industrial education must be considered in the light of the attitude of trade unions, for without thorough cooperation between employer and employee, as reciprocally interested in industrial training, there can be little progress. Manufacturers desire industrial education for many reasons. They demand skilled workmen more and more, and wish to see the industries of the country put upon a strong, solid basis so far as skill is concerned. The employee, on the other hand, should, or ought to, desire the same results, and at the same time have in view for his children the opportunity of securing a higher place than he himself has been able to attain.

It is a reciprocal question; it does not belong wholly to the employer or wholly to the employee, but to both of them; but, more than all, it belongs to the great public; and as the agitation proceeds and the establishment of industrial schools and trade schools and the expansion of the apprenticeship system become more effectual, all prejudice will cease and the great work will be harmonized. When the wage receiver learns that increased skill means increase in wages and thus enhanced consuming power, by which demand for goods will increase, he will be an ardent advocate of general industrial education.

TYPES OF SYSTEMS.

I.—TYPE IN WHICH SHOP AND SCHOOL ARE INTIMATELY CONNECTED.

Each establishment that has some form of apprenticeship system has its own type, although the general features are the same for all. As already stated, there are a great many concerns in this country that still adhere to the old form of apprenticeship, with indentures specifying all the conditions under which the apprentices are employed. This type is not dead but is going out of use. The second type, which exemplifies modern conditions, is that which makes provision for the education of apprentices both in the shops and in the class rooms. The third type is where manufacturers control the individual apprentices, to some extent, outside of working hours.

It does not seem necessary to describe the old type of apprenticeship system, but the new types should be described, and this can best be done by giving an account of a few typical concerns, or concerns that have made the most of the various educational features connected with the employment of apprentices.

THE GENERAL ELECTRIC COMPANY, LYNN, MASS.

Seven years ago or more this company established an apprenticeship system based on new methods of procedure, with a view of accomplishing the very best results. The system comprehends a machine shop, tool making, pattern making, and a foundry. Four years of apprenticeship are required. Apprentices are paid 9 cents per hour the first year; 12 cents the second year; 14 cents the third year, and 16½ cents the fourth year, and a cash bonus of $100 is given. Graduates of high schools, or those who have completed a three-year course in such schools, may have their apprenticeship period reduced one year.

The significant feature in the General Electric Company's system is the practical training of apprentices in large "training rooms." The boys are in these rooms for two years, after which they are placed in different departments of the factory. This is considered the great point of advantage in the General Electric Works. Educational courses are provided by the company in academic branches which will assist the apprentices to obtain a better understanding of machines and machine parts, and will make them acquainted with the problems and calculations connected with the reading and comprehension of mechanical drawings, and with the sketching and designing of auxiliary tools needed in modern manufacture. The school sessions are held during the working hours, and the apprentices are paid the same wages during these hours which they would receive if they were working in the shops.

Of course some foremen object to this method, because, as they say, it interferes with production, but the company insists that on the whole it is for the best interests of all. The course of study in the school sessions comprises arithmetic, elementary algebra, mensuration, elementary trigonometry, elements of machines, power transmission, strength of materials, mechanism, elementary electricity, mechanical drawing, machine designing, and jig and fixture designing.

Mr. Magnus W. Alexander, the engineer in charge of apprentices, General Electric Works, at Lynn, Mass., emphasizes the importance of having the leaders of industries more interested in the question of the insufficient supply of skilled mechanics, and he believes that manufacturers should be more thoroughly aroused to the necessity of reviving the apprenticeship system and adapting it to meet the new industrial conditions.

Great care is exercised in selecting applicants, as well as in the weeding-out process during the trial period. The company insists that instruction in the class room is a necessary part of the apprenticeship system. Six hours a week of this instruction are given for ten months of the year. About one-fifth of the apprentices at the works are at school at one time, and the services of one man are required to give them the academic instruction. The plan of paying the boys while receiving this education makes them feel the importance of the education, as well as being an inducement for those who might otherwise not be willing to obtain it at the sacrifice of wages.

The teacher in the school must be a man who has had engineering experience and has the pedagogical qualities of a good teacher besides. He must be acquainted with the needs of the factory industries in general, and know how to adapt theoretical school training to the educational needs of the machine trades. The work in science and mathematics is very concrete, and applies to the factory conditions of the General Electric Company. The problems are carefully selected and are based upon actual occurrences in the factory. This method has the double advantage of initiating the apprentice into the technicalities of the business, making him acquainted with the various kinds of apparatus manufactured and the different material used for each, and at the same time familiarizing him with the solution of the same class of problems which he will meet later on as journeyman and foreman.

Mechanical drawing is not taught for the purpose of developing mechanical draftsmen, but as a means of teaching designing of tools, jigs, and fixtures needed for manufacturing on a large scale. The boys are taught to sketch out special tools, jigs, and fixtures which may be required from time to time for labor-saving purposes. This is not considered a question of executing fine drawings, but rather of

sketching quickly for the immediate use of the machinist and toolmaker a required tool, which, when once made, is liable to remain in use for a long period. The teaching of mechanical drawing in this respect differs from instruction in reading mechanical drawings.

A feature which belongs to the General Electric Company alone, so far as ascertained, consists in examinations in the school work, which are held frequently during the year, with a final examination at the end of the course to determine to some extent the standing of each apprentice and the wages which the company considers commensurate with his value as a journeyman.

Mr. Alexander considers that the methods of training employed are of paramount importance in considering the degree of skill which will be acquired by the apprentice through his shop work, and that here there is naturally a conflict between the purpose of the apprentice and that of the foremen in shops which have an apprenticeship system different from the one carried out at Lynn.

Usually, under the old system, the boy comes for shop training, and wants to procure all possible information in the shortest time, and desires a variety of work in a department and an opportunity to work in all departments. The foreman, on the other hand, representing the company, strives for economy, for cheapness of production, and feels that he can better further his ends by keeping the apprentice on one class of work and in one department for a long time. Few foremen combine a legitimate care of their own interests with a proper appreciation of the boy's objective.

As an illustration, the average foreman utilizes the apprentice at first for an errand boy or for some such nonskilled labor. He then gives him simple work at the bench, such as chiseling and plain filing, cleaning of small castings, or assisting the stockkeeper in the handling of small tools and stock materials. While there may be a certain value in this class of work—for it makes a boy familiar with factory life and system, accustoms him to the factory atmosphere, and gives him an elementary knowledge of his trade—the General Electric people feel that after a time the bend in the efficiency curve is reached, and any further expenditure of time gradually becomes more and more disproportionate to the additional advantage gained. Bright, ambitious boys realize when this point in the curve is reached, and begin to press the foreman for a higher grade of work, especially work at machines.

This position of the General Electric Company is borne out by nearly all concerns whose systems were investigated for the purpose of this bulletin. The result of this condition is that the apprentice is forced to push himself forward in order to learn the different classes of work, while the foreman is usually slow to respond and give him the advantage of a variety of training, because if the boy is inefficient

in some particular branch of work he will naturally be held at that work for improvement, and, on the other hand, if he is efficient, the foreman is likely to keep him for an undue length of time in order to get the greatest commercial advantage from him.

So the General Electric Company has attempted to equalize the opportunities for all apprentices and to offer them expert instruction in the practical work of the trade, especially during the first part of their course, through what is called the "apprentice training room." This feature makes the apprenticeship system of the company unique, and a far different proposition from that of any other concern so far as known.

Where teaching is carried on in connection with shop work, many manufacturers have gone no further than to employ a suitable man to look after the apprentices and to assist the foreman in giving the boys industrial training. This superintendent of apprentices jointly represents the interests of the employer and the apprentice. He may go so far as to inaugurate classes for the study of mechanical drawing, mechanics, and kindred subjects, but the apprentice in his shop training is a pupil of whoever happen to be foreman and assistant foreman, or leading journeyman in the department to which he has been assigned. These men are skilled, but may not have any special fitness for imparting instruction. Moreover, the boy may be handicapped by being assigned to a department which has only a small amount of work on hand, and this of such a nature as not to add to his skill and knowledge, while other departments may be crowded with work of instructive and interesting character, and so the boy who happens to be assigned to the first department is put at a decided disadvantage with respect to the apprentices of the other departments, where productive conditions offer a fine opportunity for further advancement.

The mechanician of the General Electric Company in charge of the training room possesses the ability and patience to instruct beginners, and during the trial periods studies each boy's mental and moral make-up and his native ability for a chosen trade. The instructor emphasizes the need of developing in his training room the best and most efficient methods, and this can be done in such a room better than in the regular shops, because the boys will not be hampered by the hostile attitude which may be encountered in factory departments on the part of regular workmen. For example, the boy may be shown the highest practical cutting speeds of modern steel without any reference to the traditions which may exist in the mind of an old workman. Moreover, those in charge at the General Electric Company's works believe in having an apprentice who has thoroughly learned a certain operation impart that knowledge to a new apprentice before he himself is taught another operation. In this way apprentices are pupils to-day and teachers to-morrow. This develops

in the apprentice the faculty to impart the knowledge he has already received and thus brings out the best efforts of the individual.

The product of the training room is of commercial value. The psychological influence of commercial work is of great importance. It takes a boy out of the sphere of theory and into that of practice. It clinches his interest, and makes him realize that the product of his work is to be a part of some interesting machine.

The "training room" is primarily for the machinist apprentices. The smaller number of students in pattern making and foundry work do not permit of so elaborate a system.

After the students have spent from one and a half to two and a half years in the training room they are given an opportunity to specialize in die making, tool making, or laying out machine work. The apprentices are then under the charge and discipline of the respective shop foremen.

This feature obtains in some other cases, especially in the system as carried out by the Yale & Towne Company, at Stamford, Conn., as will be seen later on.

Of course the General Electric Company encourages graduate apprentices to remain in its service. The number who do remain in the service of the company is fairly satisfactory, but the temptation of the graduate apprentice with $100 in his possession to see something of the world is not uncommon, though a number of them, after seeking employment elsewhere, sooner or later return to the company.

Brown & Sharpe, at Providence, R. I., have had a similar experience.

The efforts of the General Electric Company to establish a new, up-to-date apprenticeship system have met with results satisfactory to the company, and the system has been copied in some degree by others. Certainly the company has shown its desire to connect the science of apprenticeship with the science of industrial education and, so far as this investigation shows, they have succeeded.

FORE RIVER SHIPBUILDING COMPANY, QUINCY, MASS.

The apprenticeship course of this company has been laid out on a solid basis. The apprentices have a special man to look after them and a special academic teacher to give them instruction. There is no special instructor in mechanical drawing, but the method of teaching mathematics brings out the subject, one or two boys being taken at a time and given instruction in the drawing room.

The work of the boys in the different trades connected with shipbuilding is varied by giving them a working knowledge of all branches, although there is no definite time schedule arranged beforehand, except in the yearly division of work. Boys have a school

period covering twenty-two weeks, from October to April. Those selected are required to attend two hours a day each for two days a week, this time being accounted for in that of the regular time of service, the service time of the boys being shortened if they stand well in their class or do outside studying. The superintendent of apprentices visits each boy daily to see that he gets proper instruction, and keeps all records of his time and efficiency. The general manager reports that the apprenticeship system has given them an efficient basis for a corps of skilled workers.

The applicants to become indentured must not be less than 16 years of age and are not wanted when more than 17 years old. They must be graduates of public schools. The first forty-eight days constitute the term of trial. Apprentices are not expected to work overtime, but when they do they are credited with the number of hours of such time in their service. This is very popular with the boys. They are allowed to do piecework, and are given the difference between the regular wage per hour and their piecework earnings reduced 20 per cent. At the present time the apprentice force employed by the company is about 5 per cent of the whole. In some departments the employees are 40 per cent apprentices, while in others they constitute only about 1 per cent.

The boys are anxious to enter apprenticeship in the machinist and carpenter trades, for they can make use of this knowledge in other places than the Fore River Company. The superintendent of apprentices does not feel that industrial education could meet the needs of the company, in that there could never be a special school for shipbuilding in Quincy, so they must always give the training themselves. There are at the works in Quincy 14 apprenticeship departments, chiefly those of blacksmiths, coppersmiths, electricians, foundrymen, carpenters, pattern makers, joiners, machinists, etc.

As a rule the course runs for four years. Taking the apprenticeship machinist course as an example, it is found that during the first six months work is given on the bolt machine, milling machine, and other small tools, the second six months on general bench work, such as shaping and filing; the third six months the boys are assigned to the different machinists and work under their direction on drills, planers, grinders, lathes, and boring mills. The fourth six months they are given work on slotters, planers, and shapers. At the beginning of the third year the apprentice is placed at whatever tool he has shown himself to be most efficient and is given work which will develop his special ability. If apprentices are particularly well qualified, they may specialize in laying out, setting up, and finishing work in the tool room, or in erecting and installing engines and auxiliary machinery on ships.

After the first six months school work is required of the apprentice, unless he shows that he is already proficient therein. The company always selects a few boys for the engineering and electrical drafting rooms each year, and this encourages the brighter ones to study up on mechanical drawing and mathematics, and to do well in their book work, in order that they may become draftsmen. Some of the apprentices attend the Y. M. C. A. classes in addition to the regular class-room work.

During the first two months of probation the apprentices are required to serve as messengers, in office work, or helping in any miscellaneous service.

A fine feature of the system in force by this company consists in a set of blanks furnished by it and the method of recording the advancement of apprentices. This shows that they intend to carry the apprentice through a regular shop system. The quarterly apprentice report, which the foreman is obliged to make to the superintendent of apprentices, also shows that the apprentice is followed closely in regard to his improvement, etc. The company also publishes a special text-book, called a note book of arithmetic and geometry, for the apprentices. This is a testimony to the high grade of apprenticeship system which the company is attempting to carry out, and exemplifies not only the possibility of coordination, but testifies to the efficiency and good results of the attempt.

NEW YORK CENTRAL LINES.

The New York Central lines have established what is called by those responsible for it "a rational apprentice system." Their efforts parallel the methods of the General Electric Company, already described, but they reverse the process. While the General Electric Company has training rooms or class rooms where theory is taught for the first year or two of the apprentices' experience, and then transfers the apprentices to the shops for the practical results of their class-room studies, the method of the New York Central lines reverses this. Instead of working from theory to practice, they work from practice to theory, as illustrated by Mr. Cross, of the New York Central lines. They take an old steam pump, run it by compressed air in the school room, and let the apprentices see the way it works, take it apart and examine into the valve motion, make drawings of the various parts, calculate the cubical contents of the cylinders, study the various mechanism, and then go out into the shop and grind the valves. In other words, starting with the pump, they work down through the various subjects of arithmetic, geometry, mechanical drawing, mechanics, etc., as applied to the action of the pump.

The authorities of the railway lines interested in this unique experiment do not feel that trade schools meet their needs. They claim that the technical requirements of a railroad position are such that no special trade school could meet them. They even go so far as to minimize the value of the railway engineering courses in technical colleges. They feel that the trade school graduate comes into the shops with a more or less exalted opinion of his capacities, that they would have to spend a couple of years making him over, and that those years would be more or less wasted.

This experience of the New York Central lines is of so great importance as illustrating the most advanced type of apprentice systems, that considerable space is here given to a description of it.[a]

Prior to the inauguration of the new plan there had been some apprentice schools established by the New York Central, but these schools for some time had been carried on by the local management at four points—Elkhart, Ind.; Jackson, Mich.; Oswego, N. Y., and McKees Rocks, Pa.

About three years ago an apprentice school was started at the Elkhart, Ind., shops of the Lake Shore and Michigan Southern Railway. Sessions were held in the evening; the school was intended primarily for the apprentices, although anyone in the employ of the company was eligible to membership. In 1886 evening class work for the apprentices had been started at the Jackson shops of the Michigan Central Railroad, and in 1904 an apprentice school was organized at the Oswego shops of the New York Central Railroad. Attendance in this and the previously mentioned school was compulsory for the apprentices, and they were paid for their time in the class, thus making it possible to enforce somewhat rigid discipline. About three years ago an evening school was organized at the McKees Rocks shops of the Pittsburg and Lake Erie Railroad, where classes met twice a week, and the attendance of the apprentices was made compulsory.

The new plan now in operation was not put in force until March 1906; under it the first apprentice class was started at the West Albany shops in May of that year.

The apprentice department of the New York Central lines is under the direction of Mr. C. W. Cross, superintendent of apprentices, having an office at the Grand Central station in New York. He is assisted by Mr. W. B. Russell, who has charge of the educational features. The central organization deals with the general problems affecting the apprentice work, outlines the different courses, looks

[a] The writer is greatly indebted to Mr. R. V. Wright for his various articles on the New York Central lines, which appeared as a reprint from the American Engineering and Railroad Journal for June, July, September, October, and November, 1907, in a pamphlet entitled "A Rational Apprentice System," which is used by his permission. Mr. Wright's descriptions have been supplemented by personal investigation of the work of the New York Central lines.

after the educational features, organizes new schools, and keeps in close touch with all of the schools.

Thus far apprentice schools have been established at nine points on the system, including West Albany, Depew, East Buffalo, and Oswego on the New York Central; Elkhart and Collinwood on the Lake Shore and Michigan Southern; Brightwood on the "Big Four;" Jackson on the Michigan Central, and McKees Rocks on the Pittsburg and Lake Erie.

The system adopted may be summed up under the following three heads: (1) It provides for a close supervision and instruction of the apprentices in the shop by the apprentice instructor; (2) a school is conducted by the company during working hours, the apprentices being paid for attendance, at which mechanical drawing is taught in a practical way; (3) a course of problems carefully arranged to suit the needs of the apprentices has been prepared, which they are expected to work out during their own time. This system, which differs radically in many respects from anything that has been done in this country, follows more or less closely the general principles governing the educational system of the British Admiralty, which has been in operation more than sixty years, and, according to Sir William H. White, has produced the majority of the men who are now occupying the most prominent positions in the shipbuilding industries of Great Britain. Sir William White has said: "It has given to private shipbuilding its leaders, who have risen from the ranks, while it has produced men holding many important and influential positions in all parts of the world."

So the New York Central authorities hope that through their expanded apprentice system they will train up the men who will be the leaders in railroad work on their lines. Their work, therefore, and that of the General Electric Company, already described, must stand as the two great systems on a large scale for the purpose of securing general industrial training. While the two systems have the same end in view, they find it essential to proceed from different points of initiative. They thus constitute together most interesting experiments.

Under the New York Central system boys come into contact with actual shop conditions from the very first. The chief special features of the system are that the apprentices are instructed in drawing and in shop problems by a man already in the service of the company, on the shop property, during working hours, and while under pay. This, it must be observed, is an important element in the modern apprenticeship systems, without which there probably would not be satisfactory results. The apprentices are instructed in the trade in the shop by a special instructor, who gives the whole or part of his time to this work and who is responsible to the local shop manage-

ment. This is an important feature. Under the old apprenticeship system the apprentices lacked instruction, as foremen and others were not willing to give their own time in the interest of the apprentices. Instruction in the trade is given in the shop on the regular tools and in the regular line of shop work. Apprentice schedules are followed, assuring a thorough training in the trade and giving the necessary variety of work.

The drawing and the problem courses are arranged to allow each apprentice to progress as rapidly as he desires, but so as to enable a single instructor to handle classes with as many as 24 students in a class. The character of the courses is such as to fit the standards of the road, to read in the language of the shop, and to suit the special conditions existing locally. The method of instruction differs radically from the ordinary method in the following points: Text-books are not an essential part of the plan; there is no subdivision into subjects; all principles are clothed in problem form; there is no arbitrary standard of the amount of ground to be covered; no examinations are held. The progress and marks of the apprentices are based on the close personal touch maintained between the instructors and the apprentices.

The apprentice work can be installed at a greater number of the shops than would be otherwise practicable, by using talent already in the service of the company.

There are other interesting features connected with the system, especially the arrangement for evening classes for employees other than apprentices. The men in the shops, both foremen and workmen, have evinced considerable interest in the apprentice schools, and there has been a demand for evening schools to give them the same advantages. In response to this sentiment on the part of employees evening schools have been started at McKees Rocks, Elkhart, Jackson, West Albany, Brightwood, Oswego, and Collinwood. These classes are open to all the employees. At all of the points except Elkhart and McKees Rocks the men meet for an hour and a half or two hours directly after the shop whistle blows in the evening. The men are more regular in attendance and take a deeper interest in the work when the meeting is held directly after the shop closes. The make-up of these classes is very interesting. At several of the schools where there is a full quota of apprentices and a waiting list, the boys take places as helpers until there is an opening for them in the apprentice department. These boys usually enroll in the evening classes, and boys who have finished their apprenticeship also follow up their studies in connection with the evening classes. The men who attend them take the same course as the apprentices, but if they desire may skip the easier portions. As a

rule they prefer to take all the work, reviewing that part with which they are familiar. These classes give the more ambitious men an opportunity to become more proficient and to fit themselves for better positions. They are especially valuable for foremen and assistant foremen who may desire to brush up their knowledge of drawing and mathematics. As a result of the classes the shop men are becoming more familiar with the company standards and being drawn into closer touch with the shop draftsmen.

The advantages thus far apparent from the brief experience of the New York Central lines are that a better class of boys is secured. With the greater opportunities that are being offered this is the natural result. Formerly it was difficult to keep up the full quota of apprentices at most of the shops. Now there is a waiting list for some of the trades at several of the shops, and apprentices are being secured for trades formerly without them. In many instances high school graduates have enrolled themselves as apprentices. At shops where there is a waiting list, as just stated, the boys frequently take places as helpers or wipers and enter the evening classes until an opening occurs in the apprentice department. This service is a sort of probation period, and those who are unsatisfactory are sifted out.

The boys under this system take a greater interest in their work, and because of the principles learned in connection with their educational studies, are better able to understand the instructions given them and carry them out intelligently. Their earning power is thus increased.

From a productive point of view the work of the shop instructor is especially satisfactory. There is a greater output when the apprentice is shifted to a new class of work. The instructor stays right with him until he understands it thoroughly. Under the old system of apprenticeship the foreman was supposed to instruct the apprentices. He would almost invariably be interrupted a number of times, and would probably hurry off after he had half instructed the boy, expecting perhaps to return shortly. The chances were that he would forget all about it and the boy would be left to shift for himself. As one shop superintendent tersely put it, under the old system a boy, after working on a machine for two or three weeks, might get to a point where he could produce one-half of a mechanic's output, now he can on an average turn out seven-eighths of a mechanic's output after three or four days. When a workman does not report for duty an apprentice can be put on the job under the direction of the instructor, and the output does not suffer to any great extent. The increase in the apprentice's output due to the cause mentioned more than offsets the loss of time due to class work, which amounts on an average to forty minutes a day for each boy.

Another advantage is that the amount of spoiled work has been very greatly reduced, a saving due to the advent of the shop instructor.

At the end of each year the instructors draw up an estimate of the personality and progress of each apprentice. This is made up of answers to the following questions.

1. Does he work overtime on drawing or problems?
2. Is he the type of boy we wish to have in our employ?
3. Is his attitude toward his employers good?
4. Does he spend his time well outside of shop hours?
5. Have you, or has the shop instructor, succeeded in gaining his confidence; i. e., would he come to you first in trouble of any kind?
6. Can you recommend him at present to start in the company drafting room, or will he qualify during the next year? (Give probable date.)
7. What is his strongest point, or for what type of work is he best fitted?
8. What is his weakest point, or for what type of work is he least fitted?
9. Does he live at home or board?
10. What is his address?

There are many incentives to encourage the apprentice in his work. The drawing and problem courses are made as interesting as possible; they deal with no abstract theories, but all the exercises and problems are in connection with the practical work in the shop. In most instances there is more or less rivalry among the apprentices as to their progress in this work.

It is quite probable that after the schools have been established for a period long enough for the apprentices to have had time to complete the course in drawing and problem work, a few of the brighter graduate apprentices will, as an additional incentive, be sent, at the company's expense, to a technical school for a year to finish off their course. Such men will then be admirably prepared for work in the motive power department. This is a most encouraging feature under modern apprenticeship methods. If students can only have the experience of a technical school after all their training as apprentices, the problem of industrial education will, to a very large degree, not only be simplified, but placed on a footing no other method would secure.

The New York Central is also adopting another method in this very direction. At two of the shops the apprentices have been taken in a body, under the direction of instructors, to visit neighboring shops or large manufacturing establishments; as, for instance, the apprentices at West Albany have visited both the American Locomotive Works and the General Electric Company's works at Schenec-

tady. At some of the smaller shops, where the boys are not able to round out their courses to advantage, they will be assigned to larger shops for their fourth year; as, for instance, the company contemplates giving the boys in the car department at East Buffalo an opportunity of spending a year at the West Albany shops, in order to get experience in repairing passenger cars. This is an added incentive.

The shop superintendents encourage the boys by occasionally assigning them to special work where they can apply the knowledge in drawing or mathematics which they have gained in the class room. One shop superintendent, who is very much interested in the apprentices, makes a point of occasionally stopping and asking an apprentice something about the work which he is doing that will make him appreciate the application of what he is learning in the class room, his aim being to attract the attention of the apprentice and induce him to put his very best efforts into his work.

The experience of the New York Central lines under their unique system answers a few questions which advocates of industrial education might advance; as, for instance, What is the attitude of the men under this system? Those who have charge of the system under the New York Central answer through their experience, and the facts gained through inquiry are that their workmen are taking a great deal of interest in the new development and that they look upon it with considerable favor. There has been very little incentive during the past few years for boys to enroll themselves as apprentices, and the men are glad to have an opening for their sons by which they can be assured of a thorough training, which will make them first-class mechanics, and which, if properly followed up, will fit them for positions of authority and responsibility. On account of the neglect of a proper system for recruiting men the percentage of skilled mechanics has very sadly decreased, and the good all-round mechanic has almost been lost sight of. A system, therefore, that will build up men of this kind, and thus add dignity and importance to the position of the mechanic, is to be welcomed.

As to the attitude of the officers of the road, they, from the gang boss to the superintendent of motive power, seem to be much pleased with the new system. It means from their point of view and observation that they are going to have more efficient men under them, and that the problem of issuing and executing orders will be simplified. The boys, coached by the shop instructor, are doing better work and more of it, and the amount of spoiled work, which is always an item where there are many boys in the shop, is being reduced to a minimum. The problem of securing and holding apprentices has been solved, and in a few years the problem of securing good all-round mechanics will, to some extent at least, also be solved. A point

blank question addressed to various officers as to whether such a system was worth while and really paid, was met by a very enthusiastic response that of course it did, and in most cases they were ready to advance good reasons as to why this was so.

It is interesting to note the attitude of the different officials as they enter the schoolroom when a class is in session. One superintendent of motive power always promptly removes his hat, as he considers that the schoolroom is on the same plane as a college recitation room and deserving of the same respect and dignity.

At every point questioning brought out the fact that the higher officials quite often stop in at the schoolroom, and usually examine the work the boys are doing, occasionally asking questions or in some way showing their interest in the work.

An extension of the system is contemplated relative to the car department. It has usually been considered impossible to maintain an apprenticeship system in this department, and recruit the force other than the laborers and helpers on the repair track from its ranks. It was said to be impracticable to introduce such a system, but there were last year five regular apprentices at East Buffalo, and the indications are that this number will be considerably increased in the near future.

With this expanded system in successful working order on the New York Central lines, the question may be asked, What is the attitude of other roads to it? The general criticism has been made that the New York Central is educating apprentices for other roads, and this statement is probably true to some extent. The awakening of interest, however, in industrial education and the inquiries and observations from all directions indicate that other railroads are now giving this matter the consideration it deserves, and in some instances have taken action with a view to inaugurating some phase of the plan. The fact is being appreciated that no outside system of instruction, such as trade schools, correspondence schools, or even the Y. M. C. A. classes, can fully meet the needs of the apprentice, and that the control and direction of the instruction must be coincident with the control and direction of the shop. The indications point to a day not far distant when each railroad will have a fully equipped apprentice system organized as an integral part of its motive-power department. Before such work can start, the management must be convinced that, for its own safety in the future, it must be provided with skilled, intelligent, native workmen, men who can stand on their own merits and do the work which is needed to keep this country commercially ahead of the world; men who command the respect of their employers; men who can and will bring skill and judgment to their work, so that they may command compensation commensurate with their increased ability.

Thus the New York Central lines are contributing largely to the advancement of the purest forms and methods of industrial education.

MORGAN'S LOUISIANA AND TEXAS RAILROAD AND STEAMSHIP COMPANY, AND LOUISIANA WESTERN RAILROAD COMPANY.

The apprenticeship system of these lines is practically the result of many years' experience, and, in addition to the necessity of providing skilled labor, has been largely due to a desire to assist in the practical education of the sons of employees of the companies, thereby assisting them in securing the proper means of livelihood, and giving them the opportunity of learning a useful trade and fitting them for the battle of life.

The chief element which warrants a description of the system of these lines at this place is the establishment of class-room work. When an apprentice has served one year he is permitted to enter the class of mechanical drawing, which is taught two nights each week by a competent instructor from the drafting department. The course of instruction begins with the first elements of mechanical drawing and simple geometry, gradually followed by a more difficult quality of work with descriptive geometry, which is continued in an ascending grade until the apprentices or students are fairly good draftsmen, and able not only to read a drawing intelligently, but also to make their own series of drawings from the first rough pencil sketch to the finished print.

In this connection it may be said that it is required by the companies that when the apprentice once enters the drawing class he shall be constant in his attendance, and this requirement is one of the conditions of his apprenticeship. This school of drawing is regarded as one of the most important and essential features of the lines mentioned. Aside from its undoubted value to the graduates in providing for their future career, it enables the companies to turn out of their own apprentice schools strictly first-class mechanics and young men who are far above the average of those who ordinarily seek the class of employment involved. Many of the very best men that the companies have had in their shops and of those who still remain began with them as apprentices, and a number of those who have left are now occupying responsible positions with other lines which, not pursuing a similar system, are glad to take advantage of the opportunities these lines provide.

In addition to the opportunities which the companies provide for their own regular apprentices who have not had the advantages of college or manual training schools, they are encouraged to take courses in mechanics, special or general, with correspondence schools of recognized standing, as the technical information and instruction thereby gained can be illustrated and fixed in their minds by the details of daily work in the shops.

GRAND TRUNK RAILWAY.[a]

The Grand Trunk Railway has had an efficient apprentice system in force in its shops for several years and with very satisfactory results. It includes a thorough shop training and a course in mechanical drawing, simple mathematics, and applied mechanics. The applicant must be not less than 15 nor more than 18 years of age. After successfully passing his entrance examinations, both physical and other, the apprentice may be assigned to either the blacksmith shop, boiler shop, or any shop other than the machine and erecting shop, where he is required to remain for a period of from six to nine months. He is given a text or instruction book which covers his entire apprenticeship and contains the questions which he will be required to answer correctly before being promoted from one class of work to another. There are quite elaborate rules for examinations, and general rules relative to marking, etc.

Apprentices in machine work and fitting are required to serve five years; others serve only four years. All are required to attend evening classes twice a week from October to April. These are in charge of competent instructors, and the course includes a thorough training in mechanical drawing, arithmetic, and applied mechanics. This instruction, together with the necessary material (excepting the drawing instruments, which must be provided by the apprentices), is furnished free of charge by the company. The boys are not paid for the time spent in the class room. Apprentices who do not attend the classes regularly and who do not have a good excuse for being absent are discharged.

While the system on the Grand Trunk works satisfactorily, it is not as broad, comprehensive, and expansive as that in vogue on the New York Central lines.

OTHER RAILROADS.

Messrs. Cross and Russell, of the New York Central lines, have recently been making an investigation of the apprenticeship systems of the large railroads of the United States, and as a result have found that 55 railroads have 7,053 apprentices in 368 shop plants, while 67 plants answering have no apprentices. Thirteen railroads pay apprentices to attend school, 15 make attendance compulsory; on 13 railroads the schools are held in working hours, while on 5 the school is held in the evening.

The Santa Fe Railroad system now has 10 schools in operation with 347 apprentices. The Pittsburg and Lake Erie has a school at McKees Rocks with 36 apprentices. The Minneapolis, St. Paul and Sault Ste. Marie has a school at Minneapolis, with 29 apprentices.

[a] American Engineering and Railroad Journal, January 1908.

The Union Pacific has two schools, one at Omaha with 71 and one at Cheyenne with 12 apprentices. The Delaware and Hudson has two schools, one at Green Isle with 25 and one at Oneonta with 33 apprentices.

Schools mean in this connection the number of branches of an apprenticeship system on the various divisions of a railroad where apprentices work in the shop and also work in the schoolroom.

LUDLOW MANUFACTURING COMPANY, LUDLOW, MASS.

This company maintains a school for the purpose of training apprentices in the special branch of the textile trade concerned with the manufacture of jute goods. It has a purpose outside of this, for an attempt is made to develop desirable, law-abiding citizens. The conditions prevailing in the village which makes this school possible are peculiar, the manufacturing company having built the sewer, constructed the streets, and supplied the village with water, light, and power. This varied activity of the company offers a very particular field of work for boys educated in the company's school.

The school was started on the discovery that of the fifty or more overseers and second hands employed by the company, not one had in forty years been educated in the village schools, and most of them had received their technical training in Scotch mills. This discovery made it evident that the company must depend upon men trained abroad or else give boys growing up in the village an education which would fit them for responsible positions in their mills.

The instruction is of two kinds—the practical part, which is given in the mill, and the theoretical part, given in the school. Each boy spends five hours every working day caring for some machine or performing such work as is assigned to him in the mill. The mill work the first year consists in sewing trolley bands, doffing, tending creels, supplying different machines with bobbins of the proper kind of yarn, packing cans, running lappers, running calendar, making reels of twine, taking care of finished card, and making tests of yarn for weight and strength. Every three months every apprentice is transferred to another machine or to other duties representing additional stages in the process of manufacture.

The mill work of these apprentices is under the supervision of the regular mill overseers, some of whom are members of the evening classes in the textile school, which fact has an important bearing on their treatment of the apprentices, in that they feel themselves to be a part of the school and thus more interested in the welfare of the school while in the mill overseeing the work of the boys. The apprentices attend school three hours each day and receive three-fourths of what they would receive if they worked that time in the

mill; in other words, each apprentice is paid for his mill work at the regular rate per hour, amounting to one-half day, and in addition receives one-fourth pay for his school attendance.

The boys are divided into two classes, so arranged that the work performed in the mill in the morning by one class is continued by the other class in the afternoon. The class which attends the morning session of the school and works in the mill in the afternoon during one week reverses this arrangement the following week. The results show that better work is done in the school by the morning class.

The boys must be between the ages of 14 and 16, in good physical condition, and of good moral character when entering. They must possess a fair knowledge of English and arithmetic. The apprentices do not sign a contract, but leaving the employ of the company means severing their connection with the school; thus there is a bond which holds the apprentices. The school work, conducted in a separate building devoted to school purposes, commences in September and continues for eleven months, with a short recess at Christmas. All expenses are paid by the Ludlow Manufacturing Associates. The majority of the pupils are of Scotch descent. A large proportion of the workers in the mills are Poles and Italians, but none of them attend the school.

The moral influence of the school is already apparent, although it has been but a short time in operation. In personal appearance and cleanliness the boys have greatly improved. They have learned that soiled hands mean soiled drawings, and they have thus seen the benefit of soap and water. It is a common remark about the beautiful town of Ludlow that the increased interest and intelligence shown by the boys in the textile school have to some extent spread to other boys, and it is believed that, apart from turning out foremen, the school will in this way be a benefit to the village as well as of practical value to the company.

The outline of the course of study at present is tentative, but it will probably embrace four years' work. Some special features projected are of interest. A special shop arithmetic, covering all the operations, calculations, and duplications performed in the mills, is provided. This book has been prepared by the mill overseers and the director of the school. In manual training the boys make parts of looms and other models which have reference to the machinery. Jute and hemp seeds have been planted near the school; it is proposed to study the plants at different stages of their growth, making sketches of the parts and attempting to extract the fiber. In geography particular reference is made to the United States and countries where fibers are produced.

In the history work the boys study the history of the textile industry; the savage and semicivilized beginnings, developing into modern textile machinery and the steam engine; industrial development in the United States and in England; the growth of the factory system and the factory acts of England, etc. In connection with their studies in physics they examine and grade fibers, use the calibrating scales, measure and weigh rove and yarn, test the strength of fibers, make tests for moisture, tabulation, etc. In English they have a certain amount of required reading, writing of business letters, study of business forms, writing of shop English, etc. Special emphasis is placed upon that side of each subject which is related to mill work.

They are solving at Ludlow a peculiar problem, and one which belongs emphatically within the realm of industrial education of a high order.

WESTINGHOUSE AIR BRAKE COMPANY, PITTSBURG, PA.

This company combines shop and school work. The only requirements for entrance are that the applicant must be 16 years of age or over, of good moral character, mentally bright, and have completed his school studies through decimals in arithmetic. In connection with its system the company has a day school at which attendance on the part of the apprentices is compulsory, the time devoted to educational work averaging about seven and one-half hours weekly, the apprentice being paid the regular rate per hour for the time spent in school. The school period extends from the middle of September to the middle of June.

In connection with the day school the company has a night school, at which the attendance of the apprentices is not compulsory. The courses, other than those directly concerned with the trade itself, are, for the first year, arithmetic, algebra, business English, industrial composition, freehand perspective and mechanical drawing; for the second year, algebra, mechanics of physics, industrial composition, shop problems, mechanical drawing; for the third year, algebra, geometry, chemistry, mechanical drawing, shop problems; for the fourth year, geometry, electricity, shop problems, mechanical drawing.

D. A. TOMPKINS COMPANY, CHARLOTTE, N. C.

This company feels disposed to reduce the age of the apprentices as much as possible [illegible] the kindergarten plan. Their experience shows that an apprentice [illegible] 2 years will make a better machinist at 16 or 17 than an apprentice [illegible] of 16 can make by 20 or 21 years. In the case of young apprentices [illegible] company appoints a journeyman

workman as a sort of foster father, with instructions that the young apprentice shall not be worked for profit, nor at all except in a sort of kindergarten way. The company finds that this requires a well-balanced judgment for the proper result, but that the undertaking is not too difficult. It is trying to work out the problem of school and shopwork coordinated.

CINCINNATI MILLING MACHINE COMPANY, CINCINNATI, OHIO.

This company has an apprenticeship system where they take boys 16 years of age or older, employ them for a probation period of several months, and then if they are willing and have shown themselves willing, they are taken under a full apprenticeship contract.

In addition to the training in one of the three or four branches of the machinist trade, to be decided on by agreement between the employer, the apprentice, and his guardian, the boys have an opportunity of attending an apprentice school established by the company. They are formed into classes of 18 or 20 each, and meet with a special instructor one evening a week for two hours. Their schedule of work consists chiefly of shop arithmetic and the solution of those problems with which they come in contact in their shop work. There is no class work and the boys are not asked to recite, the entire object of the company being to teach the boys to use things and to think.

This school has been in operation for over a year, and the results have been highly satisfactory; the boys take an intense interest in their school, with the immediate result of a greater interest in their shopwork, and the mental development which they acquire, coincident with their shop manual training, has resulted in marked improvement in their everyday work.

DAVID LUPTON'S SONS COMPANY, PHILADELPHIA, PA.

This company is engaged in the manufacture of architectural sheet-metal work. It has an apprenticeship system established in 1900. During the first two years of its experience each apprentice was requested to register with some institution of learning where he could study the technical branches of the trade, but this effort proved to be an absolute failure. While the boys would register, they would not attend and apply themselves; but in the fall of 1907 the company made arrangements with the Philadelphia North-East Branch of the Young Men's Christian Association, under which the company pays the boys' membership fee of $5 and $1 for class fee for each apprentice, the branch employing instructors suggested by the company and furnishing a class room two nights a week for a term of twenty-six weeks. The company has in its employ two foremen, eminently fitted for the position, and they have worked as instructors.

At the close of this investigation, in May 1908, the company had just concluded the first school term under the above arrangement, and stated that it was more than pleased with the results, both as to instructors and apprentices. The instruction was confined to arithmetic, geometry, and drawing pertaining to the sheet-metal trade in all its various branches.

Of course, the curriculum is peculiar to the work done. The company insisted at the inception of the class that it was just as necessary for an apprentice to be punctual in attendance and diligent in his studies as to report every day for work, and that any violation of this requirement would be sufficient cause for dismissal. By suspending a number, with the understanding that they could not report for work until their home tasks were submitted satisfactorily, it broke up a concerted action to defeat the purpose of the school work of the company. Now the general results are not only satisfactory, but extremely gratifying. The company has succeeded in getting apprentices interested, so that they are, by the information they have acquired, enabled to get better results.

SOUTHERN BELL TELEPHONE COMPANY, ATLANTA, GA.

This company maintains at Atlanta an operators' school, completely equipped with all the apparatus necessary for giving local and long-distance service. The school is conducted by an instructor and two assistants. While in the school the students are paid 50 cents per day and are at no personal expense whatever, as the company furnishes all charts, books, apparatus, etc. It also furnishes regular work for the graduates of the school.

INTERNATIONAL HARVESTER COMPANY, CHICAGO, ILL.

This company has equipped a special machine shop as a technical school for evening classes in shop practice, and the results during the past two or three years warrant it in continuing the plan. There are carried on three or more lines of work in which lads may enter for training, the company teaching some classes in elementary mathematics, reading, and writing during the working-day period, which classes the boys are expected to attend, they being paid for the time so employed.

THE WILLIAM TOD COMPANY, YOUNGSTOWN, OHIO.

This company, engine builders, has an apprenticeship system on a progressive basis. It starts a boy on the first of every month. For the first year he is moved from one tool to another every month, working on small tools which are regularly devoted to apprentice work. He serves here a sufficient length of time to acquire some

knowledge of the various operations, such as drilling, turning, and planing; then for eighteen months he is put on the floor as a fitter, or on such work as he can do satisfactorily and efficiently, the idea being that he will acquire a knowledge of the various operations and a general idea of the trade. The last eighteen months he is again put on machine tools, being moved every two months from one tool to another, and he is expected to acquire considerable accuracy and speed. This is rather a novel plan, but it works satisfactorily.

The company states that, by planning exactly where each apprentice is to be during his entire apprenticeship, it is able to work a large number of apprentices without requiring an extraordinary amount of attention from the foreman, as it is expected that each boy will do considerable toward breaking in the boy who follows him.

The company is also doing something in the way of school education. It is its practice to offer to pay half the expense incurred by any of the apprentices in an approved night school bearing on the apprentice's trade, provided he does satisfactory work. Under these conditions about a third of the boys are taking up various lines of educational work.

WESTERN ELECTRIC COMPANY, CHICAGO, ILL.

This company has an apprenticeship system combining shop and class-room work. Applicants for apprenticeship are required to pass an examination in arithmetic before their names are placed on the list of eligible candidates. Every apprentice attends two classes a week, one in mathematics and one in drawing. The class work comes the last working hour of the day, and the apprentices are paid for the hour at their regular shop rate. Apprentices are divided into two classes: First class, mathematics 1, drawing 1; second class, mathematics 2, drawing 2. Mathematics 1 consists of arithmetic problems, attention being given to their application to shop problems. Four or five problems for home work are given each week. Mathematics 2 includes algebra and plane geometry. Drawing 1 takes up geometrical problems, drawing 2 orthographic projection and the making and reading of shop drawings.

In the class of mathematics the boys are furnished small notebooks, in which they are expected to keep definitions, rules, etc. The company has decided to give two lectures a month to all indentured apprentices; these lectures are given by heads of departments, the subject-matter to be elementary in character, and as far as possible to consist of Western Electric methods of manufacture, illustrated by examples of the work and by blackboard sketches. It is proposed to have each speaker, whether he speaks on manufactur-

ing or other work, bring out clearly the relation between the department with which he is connected and the department in which the apprentice is employed. The idea is to teach the apprentice to see the relationship between the work he is engaged in and that of other departments. If he is repairing a jig or fixture he should, by virtue of his knowledge of where and how the tool is used, be able to exercise the necessary judgment in making the best possible job of repairing. He must be taught to place himself in the position of the man who is to use the tool, and look at it from the other man's view point. In short, he must be taught the value of good judgment. It is important that he recognize the necessity for such requirements as the keeping of his time on each job, and keeping it accurately, it not being possible to determine the cost of a job without this information.

By giving the apprentice thorough instruction in the trade he is learning and a general knowledge of other branches of the business, the company hopes to obtain far better workmen than has been possible heretofore.

R. K. LE BLOND MACHINE TOOL COMPANY, CINCINNATI, OHIO.

This company has an apprenticeship system which has been running under the universal contract approved by the National Metal Trades Association. It has had various kinds of apprenticeship systems in its plant, but as a rule they have not proven entirely satisfactory. The company thinks that the old method of apprenticeship has not proved to be just what is needed; that the best method of instructing young men in the machinist trade, in which this company is engaged, is to establish a separate department for this purpose, where the young men can be taught the trade in an atmosphere that is removed from the rush and hurry of the shop, and also where they can receive instruction in mathematics, mechanical drawing, and kindred subjects. The company is of the opinion, and stated it as a fact, that if to instruct a young man be the sole object, more can be accomplished by such a system in one year than in three years by the old method of apprenticeship. The company also believes that a school department would relieve the shop foremen of the trouble, labor, and expense of instructing the apprentices, and place it in the hands of one man. This man would have to be one of the best men employed in the plant and of a high order of intelligence, and its opinion is that, after the apprentice had spent about three years in the school department, he could be taken into the shop and put at regular manufacturing operations as a journeyman. This, it believes, would be a far cheaper method, as well as more efficient and fairer to the apprentices than the old one.

GEORGE V. CRESSON COMPANY, PHILADELPHIA, PA.

This concern, which manufactures iron work, such as hoisting engines, cranes, etc., and thus has an excellent opportunity of utilizing the apprenticeship system, employs a supervisor of apprentices, who engages the boys throughout the works. The system in vogue here is in a way along the same lines as that in vogue at the General Electric Company.

In the machine shop the apprentice is placed for two years in what is called the manual training school, which forms a special department planned for this particular purpose, under the sole charge of one instructor. The boys are moved from machine to machine, but before being assigned to a new machine they are, if required, to instruct a new boy coming on. After two years the apprentice is assigned to the main shop and placed under a regular foreman. He is transferred from position to position in the shop, and if he shows a liking for any particular machine or work he is allowed to finish his term on that. The works have a school connected with the shops. In this school are taught mathematics and drawing during working hours. The boys are divided into two classes, with mathematics in the morning for one class, drawing in the afternoon for the other, alternating each day during the week. The term in this school lasts from September 1 to May 1. The company encourages outside study by giving the boys home work, which counts in their general average at the end of the term. The superintendent, in the course of this investigation, stated very frankly that he had adopted the General Electric Company's idea, with certain modifications. He is very particular in the sort of entrance examination which he gives. There is also required a physical examination. The shop instructor is a practical man who was himself an old-time apprentice; the school instructor is taken from the engineering department. In order not to break into the regular factory work the school classes are held the last hour of the morning and the first hour of the afternoon.

The company has taken great pains to study carefully the various apprenticeship systems, and believes that the one which has been adopted is the best for its business. It believes that a better public school system would result from a return to fundamentals, including the teaching of subjects in a more practical way.

YALE AND TOWNE MANUFACTURING COMPANY, STAMFORD, CONN.

For a number of years this company has educated apprentices in the trades of tool-making, metal-pattern making, and blacksmithing. In addition to this it has given a few young men an all-round mechanical business training. Up to quite recently they were educated in the shops, working along as regular journeymen and being under the

charge of various foremen, which was a method similar to the old apprenticeship system, except that an apprentice instructor was delegated to have general oversight of the work of the apprentices. This plan did not prove satisfactory to the company, as the boys did not receive the amount of education which was believed to be necessary to obtain the best results.

The company makes a "specialty" and must have skilled men, so recently it has installed a "training room," where apprentices are under the immediate supervision of the director, who devotes his entire time to the work. This idea was taken from the General Electric Company's training room.

Each apprentice is required to pass a preliminary examination in order to ascertain his fitness and general education. He then enters the training room on three months' probation, and during this time his habits and aptitude are very carefully watched. The term of apprenticeship is four years, two of which must be spent in the training room. At the end of the second year the apprentice is transferred to the shop, and remains under the supervision of the director until the end of his term of apprenticeship.

Parts of machinery from the regular shops are sent to the training room and the boys work on them there. This means that the boys are engaged on the regular product and receive varied training. The company has found it impracticable to lay out a definite time schedule in advance for each kind of machine for each apprentice. This is due to the fact that the boys differ considerably in aptitude, some requiring nearly double the time that others take in learning a given operation.

THE ALLIS-CHALMERS COMPANY.

The Allis-Chalmers Company, at its Bullock Works, Cincinnati, Ohio, conducts a graduate student system, the purpose of which is to educate young men to successfully fill positions which develop from time to time in its sales, erecting, and engineering departments. The company cooperates with the University of Cincinnati, as described hereafter.

This system embraces three different courses, namely, mechanical engineering, electrical engineering, and mining engineering. Each course covers a period of two years (5,500 shop hours) and the students' work is so arranged as to give them the best possible experience and training which the large facilities at hand afford.

The company are builders on a very large scale of a complete modern line of machinery as follows: Steam engines, pumping engines, gas engines, blowing engines, hoisting engines, air compressors, steam turbines, hydraulic turbines, air brakes, electrical machinery of all kinds; flour mill, sawmill, and transmission machinery; crushing

and cement machinery, mining machinery, etc. This scope of manufacture offers exceptional opportunities to the student who desires to procure the necessary shop training to qualify for the higher positions that are offering in the engineering field.

To be eligible to the graduate course an applicant must be a graduate of a school of technology. The rates of wages paid to the student are as follows: For the first 1,375 hours, 15 cents per hour; for the second 1,375 hours, 18 cents per hour; for the second 2,750 hours, 20 cents per hour.

In addition, at the end of the entire term of service, for the faithful performance of his duties throughout the course, the student is paid a bonus of $100, which is prorated in case the student is permitted to shorten his course to enter the company's regular employ. No bonus is paid to the student who, before the end of his course, leaves the company's employ, either on his own volition or at the instigation of the company for misconduct or unsatisfactory progress.

The students ordinarily serve the regular shop time of the company's works, which consists of fifty-four hours per week. All overtime actually worked by the students is counted on the course and paid for at the same rate proportionately as journeymen employees are paid for overtime, i. e., for every hour overtime served by students they are paid in wages for an hour and a half.

The students are subject at all times to all shop and office rules. They are required to provide themselves with the ordinary tools necessary for mechanics, such as rules, scales, calipers, etc., or if employed in the drawing office, with a reasonable supply of drawing instruments. If the students so elect, the company will furnish these necessary tools and instruments to them at cost to the company, and deduct such cost from the wages of the students in installments.

The courses involve work progressing at intervals in the various departments as follows:

Mechanical engineering.—Iron foundry, Corliss engine machine and erecting shops, steam turbine machine and erecting shops, gas engine machine and erecting shops, hydraulic turbine machine and erecting shops.

Also when opportunity affords, the mechanical students are, toward the latter part of their course, sent out in the field with experienced erecting engineers to assist in the erection of machinery, during which time a reasonable allowance is made by the company for traveling and living expenses; and such students as qualify for the responsibility are sometimes given full charge of erecting work in the field before completion of their course.

Mining engineering.—Iron foundry, mining department machine and erecting shops, Corliss engine machine and erecting shops.

Electrical engineering.—Commutator department, controller department, assembling department, shop erecting department, testing department.

Students in all three courses engage in the actual work of the various departments mentioned under experienced machinists, and in this way learn to perform the various classes of shop and erecting work in a competent and skillful manner. They at the same time apply their theoretical knowledge to actual practice and become thoroughly familiar with the lines of machinery on which they work.

OTHER CINCINNATI COMPANIES.

The Houston, Stanwood & Gamble Company has an apprentice system with a school of its own, and cooperates with the University of Cincinnati in its cooperative courses, as do several other Cincinnati concerns. These illustrate the system, however.

THE COOPERATIVE COURSES IN ENGINEERING AT THE UNIVERSITY OF CINCINNATI.

The experience of the great manufacturing concerns and railroad companies as given above exemplifies most emphatically the types of modern apprenticeship systems in which shop work and class-room work are coordinated in such a way as to secure the very highest results in industrial training. Other examples could be given, but enough systems have been described to illustrate the trend in the resuscitation of apprenticeship.

It will be noticed that in nearly all the cases cited the concerns pay the apprentices while in the schoolroom the same as while in the shop. This is an essential feature of the whole modern arrangement and offers an inducement to a high grade of apprentices that does not enter into any other method.

There is going on in the city of Cincinnati, Ohio, an experiment that is being watched with great interest by educators, whether they are simply interested in academic work or in industrial training. That experiment is known as the "cooperative courses in engineering" at the University of Cincinnati, established in that university by Prof. Herman Schneider, of the department of civil engineering, and dean of the college of engineering in that institution.

In an address before the Fifteenth Annual Convention of the Society for the Promotion of Engineering Education, in July, 1907, Professor Schneider stated that he began what might be called a pedagogical research into the problem of engineering education six years before the time of his address; that in due course he sifted the problem to three questions: (1) What requirements should the finished product of an engineering school fulfill? (2) Where and how shall we get the raw material to make the required finished product? (3)

Through what processes shall we put the raw material in order to obtain the required finished product?

Professor Schneider carried on his investigations for six years through visits to the largest manufacturing concerns in the Eastern and Middle States in order to obtain from employers of engineers their views on the subject, and he still considers his investigation in progress. The results of all his study, observation, and inquiry culminated in an attempt to make an actual demonstration of a system of education which should be the natural outgrowth of his investigations.

Fortunately for him, opportunity was offered for the experiment at the University of Cincinnati, resulting in cooperative courses in mechanical, electrical, and chemical engineering, now in operation at that institution. The courses adopted are so planned that the students taking them work alternate weeks in the engineering college of the university and at the manufacturing shops of the city. Each class is divided into two sections, alternating with each other, so that when one class is at the university the other is at the shops. In this way the shops are always fully manned, and thus the manufacturers suffer no loss and practically no inconvenience by the system.

The length of these courses is six years. The entrance requirements are precisely the same as for the regular four-year courses, and the university instruction under the cooperative plan is just as complete, thorough, broad, and cultural as that in the regular courses; indeed, the university people feel that, as a matter of fact, it is broader and more cultural.

The cooperative students work alternate weeks in the shops of the city throughout the scholastic year, and in the summer full time, but are given several weeks' vacation. The practical work of the shops is as carefully planned as the theoretical work at the university, and in all cases the students follow as near as possible the path of the machine manufactured, from the raw material to the finished product sold. At the Bullock Electric Company, Cincinnati, the students spend the first year in the foundry, the next two years in the graduate apprentice course. A contract is signed in triplicate by the student, the university, and the firm. In all cases the dean of the engineering college and the professor of electrical, chemical, or mechanical engineering, as the case may be, confer with the manufacturers in planning the course of shopwork, so that the young men get a logically and carefully planned shop and business training.

The students are paid for their services on a scale of wages beginning at 10 cents an hour and increasing at the rate of 1 cent an hour every six months. A student's total earnings in the six years will amount to about $2,000.

A comparison of the work of the four-year freshmen who did not take the alternate shopwork with that of the six-year freshmen who

did during one year is significant. The six-year cooperative students, although working but half the time, did three-quarters of the work of the regular students, including all the mathematics and sciences of the freshman year, and their average grades were 25 per cent higher than those of the four-year freshmen. As a matter of fact, the cooperative students have taken all the university work excepting three hours of English and three periods of shopwork, but, of course, they have received more shopwork at the city plants than they would have covered at the university.

The question is sometimes asked relative to this plan in vogue at Cincinnati, How do the manufacturers themselves view it? The fact that they enter into the cooperation is sufficient evidence that they believe in it. But the evidence is positive, through the Cincinnati Milling Machine Company, in a paper presented by Mr. Charles S. Gingrich, mechanical engineer of that company, at the Fifteenth Annual Convention of the Society for the Promotion of Engineering Education, July 3, 1907. Mr. Gingrich stated in his address:

> It is our good fortune to have the University of Cincinnati centrally located among us. When it proposed to us Professor Schneider's plan of a cooperative engineering course, it appealed at once to the business sense of each individual manufacturer. The plan looked attractive from the business standpoint. It promised us an immediate supply of boys of a much higher grade than those who take up the regular apprenticeship. It held out the prospect of our getting in a few years engineering graduates with a practical shop experience. We have all tried to give a shop training to young men from the colleges, but it is never entirely successful. * * * The cooperative engineering course plan practically brings the school into the shop. Our present schedule of half time during the school year and full time in the shop during vacations puts the boy in the shops eight months out of the twelve. In other words, during the six years that he is taking the course we have him in the shop four years, the same length of time that is served by our regularly indentured apprentices. The fact that these students are capable of taking the university course is in itself proof of their high quality, and men of their class will grasp the principles, as well as the details of shopwork, very much more quickly than our regular apprentices. We expect, therefore, to give them a very broad shop training in the four years they will be with us.

This university is demonstrating the wisdom of the suggestion now made by various educators, that the ordinary college student would be greatly benefited by breaking a year out of his college course and entering upon some actual practical labor.

In this connection Mr. Frederick W. Taylor, consulting engineer, Philadelphia, has had some experience, and contributes valuable evidence. He has been very much interested in endeavoring to so educate young engineers who graduate from technical schools that they may be more useful immediately after graduation than they have been in the past. His personal observation has been that those young men who, either from necessity or otherwise, have had a year or two of practical work before graduating from college are a great deal more

useful than those who have not. They profit much more by their college course and are much better developed by such treatment.

Mr. Taylor has made a start in attempting to demonstrate the usefulness of this type of education by having young men leave the college at the end of their freshman year, take a year in a machine shop, and then return to the college for the balance of their course. His experiments in this line with young men of his city are most encouraging, all the young men giving the greatest satisfaction to their employers, and they decide themselves that they are getting great benefit from their practical work. Mr. Taylor therefore calls the experiment a distinct success.

These experiments open the way to a new feature of coordinate work, and they will be watched with great interest.

II.—TYPE OF INDUSTRIAL EDUCATION UNDER WHICH APPRENTICES ARE CONTROLLED TO SOME EXTENT OUTSIDE OF WORKING HOURS.

There are some establishments having a peculiar form or type of apprenticeship where the manufacturer or employer controls the individual apprentice, to some extent, outside of working hours. This system has both the elements of the old apprenticeship system and the elements of the type involving school and shop work, or that which has just been described and exemplified. There are not many examples of this third type, nor can it be ascertained to what extent it is being carried out, but the experience under it is interesting, for it shows a method of industrial education which may have some important bearings in the future on the whole subject of industrial training.

NORTH END UNION, BOSTON, MASS.

This organization is peculiar in its nature. It undertakes to teach the art of printing, and at the same time secure some employment for its apprentices. The apprenticeship indenture at the school carried on by the union consists of an agreement by three parties, the master printer, the pupil apprentice, and the North End Union School of Printing.

The boy is bound to the master printer for a term of four years, with the express understanding that one year of the term shall be devoted to school training, and if the apprentice fails to perform the work of the school of printing in a satisfactory manner, or proves idle, unteachable, or disobedient, the master printer has a right to be released from all obligations under the apprenticeship contract.

The school of printing, which has been in operation about nine years, is under the supervision of a board of master printers. This board consists of some of the best-known printers in the country. The pupils at the start were young men who were at work in printing

offices during the day, the school being in session three evenings each week, the object being not to make more but better printers. This method did not work satisfactorily, because the average boy, after laboring in a printing office all day, was not an ambitious student at night. His term of employment and prospect of advancement seemed to him so uncertain that the extra effort on his part was not by him deemed to be worth while, and so his enthusiasm, if he ever had any, soon waned.

After four years' trial of the evening school it was decided to turn it into a day school and make the term one year. Its prospectus stated that the aim was simply to give the pupil an intelligent start in his trade and instruct him in the essentials of good printing, so that with subsequent practice he could become a successful workman. To give him some training in the school and then set him adrift to find his place in the trade was not considered as fair to him, or of any benefit to the trade itself. Consequently an indenture form was adopted, drawn up along modern lines, with terms and conditions such as would attract any ambitious boy who wished to learn the printing trade.

This apprenticeship agreement covers a term of four years, the first year of the term being spent in the school of printing. No wages are paid the first year, while a tuition fee of $100 is charged, and a close scrutiny of a boy's qualifications for the work is constantly exercised. At the beginning of the second year the apprentice enters his employer's workroom and receives $9 a week for the first six months, then $10 a week for the next six months, and is gradually advanced until the last half of the fourth year he receives $16 a week. The working time of the school is the same as in the regular workshop, and the apprentices are responsible to their employers for regular attendance and faithful performance of the work in the school.

The superintendent of the union school emphasizes the direct connection which this school has with the employing class, and states that the exploitation of a boy in the interest of the employer, or vice versa, has never actuated the conduct of the management, and that the gentlemen who constitute the advisory board give much time and thought to the problem of the apprentice trade school. The superintendent also made strong statements, in the course of this investigation, relative to an apprenticeship system of the right sort, to the effect that it was an agreement between two persons to perform certain acts which are of mutual advantage, and that an apprenticeship indenture is essential to the success of trade training, if the shop is to supplement in any large measure the school training. He believes that the problem of trade training is made very complex by the system of specialization and that the shorter the time required for a beginner to learn a process the quicker he is apt to be made a pro-

ductive unit in the factory, so that unless an apprenticeship system had some indenture scheme guaranteeing to the boy an opportunity to learn his trade as a whole at a fixed wage with steady increase, resulting in more rapid advancement in trade training, it would not be, after all, a proper system. This is also the view of the General Electric Company.

The peculiar indenture at the North End Union, in the opinion of the directors of that interesting scheme, will guarantee to the employer continuous service of a boy for a definite time, and a better grade of boys (for an employer will not enter into a contract covering several years with a boy not selected with care), while the employer will get more faithful service, because the boy realizes that his interests are bound up with those of his employer, and that his advancement depends upon how he improves his opportunity.

Mr. Samuel F. Hubbard, the superintendent, states that it depends largely upon the employing class to provide facilities in the shop so that a boy can utilize the education which he received in the training school, and that, on the other hand, when he enters the school he ought to get into some relationship with the trade. This is the principle carried out at the North End School. Mr. Hubbard doubts the value of a part time idea, on the ground that employers have informed him that they could not be bothered by such a scheme, yet we see that on an advanced basis such a scheme works well in Cincinnati.

An apprentice at the North End School is allowed to give a note for $100 for his tuition, the superintendent not believing in having an outside party pay the boy's tuition fee.

The following data are interesting as showing the practical workings of the union from a money point of view:

North End Union, Boston.

INCOME FOR FIVE YEARS, ORDINARY APPRENTICESHIP, WITHOUT THE SCHOOL.

First year:	
26 weeks at $4	$104
26 weeks at $5	130
Second year:	
26 weeks at $6	156
26 weeks at $7	182
Third year:	
26 weeks at $8	208
26 weeks at $9	234
Fourth year:	
26 weeks at $10	260
26 weeks at $11	286
Fifth year:	
26 weeks at $13	338
26 weeks at $15	390
	2,288

INCOME FOR THE SAME TIME, ONE YEAR OF WHICH IS SPENT IN THE SCHOOL.

First year in the school	000
Second year:	
26 weeks at $9	$234
26 weeks at $10	260
Third year:	
26 weeks at $11	286
26 weeks at $12	312
Fourth year:	
26 weeks at $14	364
26 weeks at $16	416
Fifth year:	
26 weeks at $18	468
26 weeks at $18	468
	2,808
Income, five years, one year in school	2,808
Income, five years, shop apprenticeship	2,288
	520
Less tuition	100
Net advantage of one year in school	420

R. HOE & CO., NEW YORK CITY.

Another interesting example of this third type of apprenticeship is the school established about thirty-six years ago in New York City by Messrs. R. Hoe & Co., manufacturers of printing presses. The need for a school of this kind grew out of the fact that the constantly increasing demand for improved machinery made it necessary to have a more intelligent class of workmen in the construction department in order to bring about the desired results, and the company decided to establish a school where the boys and young men employed in the shops during the day might spend a portion of the time in the evening in acquiring a knowledge of such things as would enable them to better understand the work in which they were engaged, and which might ultimately result in training up a superior class of workmen.

Admission to the school is restricted to the apprentices who are serving their time with the company, and tuition in the school is entirely free. The course of instruction covers a period of four years, and is carried on in conjunction with practical work in the shop during the day. It includes English, mathematics, geometry, and free-hand and mechanical drawing, opening the first week in September and closing the last week in May; sessions are held three nights each week, and the school is under the general management of the company. As the course of instruction is arranged to continue during and terminate with the regular period of apprenticeship in the shops of the company, all the graduates are competent to do prac-

tical work as full-fledged journeymen. The school has proved satisfactory in every respect, and has fully attained the end for which it was established.[a]

BROWN-KETCHAM IRON WORKS, INDIANAPOLIS, IND.

The directors of this company have decided that all boys taking advantage of the special night school organized by the Y. M. C. A. during the term of their apprenticeship shall receive credit on the last day of their apprenticeship for six months' time. The boys themselves pay the expenses of the special night drawing class, but this is only $6 a year.

LAIDLAW-DUNN-GORDON COMPANY, CINCINNATI, OHIO.

This company employs apprentices at the age of 17 on a four-year contract. While its system has no special educational features outside of shop instruction, it encourages apprentices as far as possible to attend the night classes of the Ohio Mechanics' Institute in Cincinnati. A limited number of special apprentices who are students at the University of Cincinnati are also employed, these apprentices working in pairs and alternating each week between the University and the shop. This particular feature, which is unique and of great importance, will be referred to later on.

III.—MIXED TYPES OF THE APPRENTICESHIP SYSTEM.

The two types of apprenticeship just illustrated, (1) that where school and shop are intimately connected, and (2) that where the management has some control outside of the shop, are those where the elements of industrial education in the broader sense are most conspicuously emphasized. There are many other examples, where there is no connection between the works (or shops) and the schools, that give valuable information relative to the extent and importance and real influence of the apprenticeship system as such, and also plainly show the friendliness of the managers of such concerns to general education along industrial lines. A few of the more prominent and characteristic types are therefore given.

BALDWIN LOCOMOTIVE WORKS, PHILADELPHIA, PA.

Under the system at these works the apprentices are divided into three classes. The first class is composed of those who have had a grammar school education and who are not over 16 years of age. They serve four years, or until they are 21, at wages of 5, 7, 9, and

[a] Seventeenth Annual Report of the United States Commissioner of Labor.

11 cents per hour for each respective year of their term, and receive a bonus of $125 at the end of their term. They are obliged by the terms of their indenture to attend night school three evenings a week during three years of their term, and study geometry, arithmetic, elementary mechanical drawing, and shop practice, in order to become familiar with the technical language used in the shops and be able to readily interpret the working drawings in daily use.

The second-class apprentice serves three years. This class includes those who are at least 18 years of age and have had a more advanced education than those of the first class. They are paid 7, 9, and 11 cents per hour for each respective year, and receive a bonus of $100 at the end of their term. They also attend night school for the first two years of their term. Many of them take up advanced studies, such as chemistry, higher mathematics, and mechanical drawing.

The company provides for changing them from one shop to another, and from machine to machine, once every three months, or oftener if necessary, until they have been all over the works, thus giving them a thorough knowledge of the entire plant. The firm is also bound by the indenture to retain the apprentice in service until he has completed his term. They retain the right, however, to dismiss him for good and sufficient reasons.

The third class of apprentices is composed of young men, 21 years of age and over, who are graduates of colleges, technical schools, or other advanced institutions, and who have taken courses in higher mathematics, natural sciences, and mechanical drawing. They are not indentured as are the boys of the first and second classes. They serve two years, receiving 13, 16, 18, and 20 cents per hour for each respective six months of service. They are not required to attend school, although many of them do so, but instead must read a technical journal and turn in a synopsis of all the articles in it, which matter is used for indexing the articles in the publication.

The course for the first-class apprentices is likely to develop men who will be first-class mechanics and fitted for positions of minor responsibility; the second grade is likely to develop men who will graduate into the positions of subcontractors and foremen; and the men of the third class are likely to become foremen and heads of departments and members of the executive staff of the company.

There is also another class of apprentices called "specials." This class is composed of young men who, on account of their age, can not be placed in either of the three regular classes. Their term of service is voluntary and they have no fixed rate of wages, this being arranged by the particular foreman under whom they may be working.

Of the 399 apprentices in the works at the end of 1906, 204 attended various night schools, as follows: 126, Central High School; 32, Spring Garden Institute; 11, Drexel Institute; 1, Franklin Institute;

17, Young Men's Christian Association schools, and 17, various district public schools. This shows that about 89 per cent of the boys attend formal schools. In addition to the apprentices who are obligated by their indentures to attend school, there is a large attendance at various schools and institutions of specials and other young men who attend voluntarily. The superintendent of apprentices of the Baldwin Locomotive Works, Mr. Semple, who furnished the information for this investigation, stated that while the boys are expected, and, as far as possible required, to attend evening schools, there is no way of finding out how well they do attend, or how they progress, except through the return blanks of the principals of the schools; but these blanks do not furnish the exact information the works desire. Nor is the work which the boys do in the public evening school satisfactory, because of the large size of the classes. Some of the teachers have as many as 60 students in a room at the beginning of a term, and by the time the roll has been called half an hour has been lost. A good many boys wish to drop out because they are not getting enough individual attention.

The instruction in the public evening school is free, but of such a character that those boys who can afford it take up work in private schools, such as the Spring Garden Institute, Drexel and Franklin institutes, and the Young Men's Christian Association schools. The average attendance of the boys taking the public school work was 84 per cent. The average attendance taking private school work was 89 per cent, showing that where these boys had to pay for instruction themselves they did better work than where instruction was furnished free.

The feeling at the works is that there must be better elementary schools and better evening schools; the first for a more efficient preparation for the apprenticeship system, and the second for better opportunity for working boys to supplement their daily experience through evening study. The superintendent has a system of blanks to show the progress of the apprentices in the shops and the quality of their work, their conduct, and the statements of the foremen. At the Baldwin Locomotive Works they do not believe in lectures, outside socials, or any of those features which prevail at the General Electric Works. The company is conservative and has made a success in a conservative way, but it believes in the thorough training of its boys, and its belief has been strengthened by the fact that many of the men in directory positions at the works have come up from the ranks.

BROWN & SHARPE MANUFACTURING COMPANY, PROVIDENCE, R. I.

This company, engaged in the manufacture of machinists' tools, has at present about 150 apprentices. Applicants must not be less than 16 or more than 18 years of age, and have had a grammar school

education. They are required to serve for a term of four years. The company believes in evening instruction for the boys, and that the more outside instruction they can get the better for them on general principles, and if the young man is getting ready for work as an engineer it is necessary for him to have this instruction. The firm recommends and helps young men to the evening schools, but does not require attendance. The superintendent states that some of the young men have gone for a short period to evening schools, others have gone for the whole four years of their term of service. He says also that the boys make good use of the Rhode Island School of Design, where the chief draftsman of the company is on the advisory board of some of the courses of instruction. The superintendent is of the opinion that the only way of furnishing good all-around workmen is to have boys indentured for four years to some well-conducted, up-to-date concern, where they may learn their trade, for in this way they are not only bound to the concern, but the concern also becomes bound to them; accordingly no foreman, on account of some ill feeling or spite against a boy, can discharge him, as the whole matter must be brought before the manager, by whom the case is investigated thoroughly before being decided.

Mr. Luther D. Burlingame, chief draftsman of the Brown & Sharpe Manufacturing Company, who has written on the subject of apprentices, stated in the course of this investigation that he felt there should be a careful selection of boys fitted for the work, with a period of trial, during which they may be tested as to their intelligence, application, accuracy, interest, and other desirable qualifications, and where candidates were found lacking they should be weeded out; that the work given to the boys should be so diversified as to give the most varied training possible. The apprentice and his future should be considered, as well as the profit to be derived from his services. If possible, outside study and auxiliary training should supplement the work in the shop and be a part of every boy's training. When evening schools are not available or suitable, private instruction or home study should be resorted to, as such study, in addition to the knowledge gained, gives confidence to the boy, and enables him to take for himself that social position that some claim is not accorded to the mechanic or other manual workman.

Mr. Burlingame emphasizes the fact that apprentices should be in charge of a competent man, whose duty it should be to see that a proper selection is made in hiring new boys. This man should look after their general welfare, both inside and outside the shop, encouraging, correcting, and teaching them, without showing a paternalism which would take away the boy's self-reliance, but working in sympathy with him and keeping such watchfulness over him as to see

that he gets a fair deal. This is especially essential in large works, where a great number of apprentices are employed.

One of the faults of the old apprentice system, when employed in modern times, is that there is no one to care anything for the apprentice. The journeymen can not stop to instruct him, and he is, as has already been shown, largely dependent upon chance for learning any of the art or skill required. Every shop, however small, should be looking to the future in the training of boys by a system of apprenticeship, and it is through the wide extension of such a policy that we can anticipate a great future development of skill.

The Brown & Sharpe Manufacturing Company considers that the apprenticeship system is not a mere detail incident to the conduct of the business, but is one of the corner stones on which its prosperity and permanence rest. Some of the most important positions in the factory are held by men who have been apprentices in it. They have learned the company's methods of doing work, and are interested in the welfare of the business as well, and while technical and manual training schools are of great importance, the management believes that nothing can take the place of the boy indentured to some first-class concern.

Mr. Burlingame emphasizes the value of apprenticeship over that of the trade school, especially where the apprentice adds to his experience in the shop school knowledge which he gets by evening study. The boy coming from the school shop, no matter how good his training, must start as an unknown quantity with his new employer and win his way from the beginning. A boy already four years in the service of an employer may have won his confidence and esteem, and developed such ability and loyalty as to place himself in line of promotion even before he completes his apprenticeship.

This firm is an advanced one, broad and liberal, and believes in all forms or methods which will produce an increased amount of skill and skilled labor, and its experience is that this can be done better through a modern up-to-date apprenticeship system than by any other method.

BULLARD MACHINE TOOL COMPANY, BRIDGEPORT, CONN.

The experience of this company leads to conclusions opposite to those drawn from the experience of the General Electric Company, the New York Central lines, and others adopting their type of apprenticeship, yet it is carefully considering them and in a friendly spirit.

The conditions which led to the attitude of this company are those which are universal, namely, an apparent lack of skilled workmen, and the difficulty of procuring boys who wanted to learn the trade

of machinist. There were other contributing circumstances, such as the differentiation of machine processes, the low wages paid apprentices, which were not sufficient to encourage a boy to elect a four years' apprenticeship, and other economic elements.

Mr. Bullard, the head of the company, is chairman of the apprenticeship committee of the National Association of Machine Tool Builders, and that association is adopting his ideas. The general terms of the apprenticeship system recommended by this association are practically the same as those that characterize the systems in use by firms and manufacturers generally. A distinctive feature, however, is what is known as a "special apprenticeship" contract, for boys 17 years of age, providing for a trial period of two hundred and forty hours, with pay at a rate ranging from 12 to 15 cents an hour, then a term of service ranging from one to two years, depending upon the department; that is, the specialization of work by apprentices is emphasized. This system has been in operation about two years, and already over 150 diplomas have been given out by the association.

While the firm does not in any way antagonize the methods described under the school and shop type, it feels that some of the firms that take up that method can afford to do it, while the machine-tool builders as a whole can not bear the expense. The association has many small shops where they have not many apprentices, and so must adopt a system suited to their needs. Where the number of apprentices is large enough and the financial resources are ample, Mr. Bullard and the association he represents would have a broader plan than the one he now advocates.

This company has an excellent scheme for following out the progress of the apprentices. Records are kept of individual work, the piecework and the time work of every boy, which give the quality of work done, productiveness, and punctuality of every boy. These records go to show whether a boy's judgment is good. His personality and character are determined by observation.

Before Mr. Bullard recommended this special form of apprenticeship to the association he made a thousand trials in all departments to determine whether apprentices were worth while, commercially speaking. He would give a job to a journeyman and then the same job to an apprentice, keeping account of material spoiled, time, and inspectors' reports, etc. The result was that he found apprentices' work paid.

The company is very much interested in the matter of trade schools. It would like to see the public schools fit for something besides college. It does not care to employ a boy until he is 17 and has reached the age of discretion, and it thinks that the schools ought to teach more practical subjects, which would fit in with the industrial life which an apprentice is bound to meet, and while strongly favoring and

advocating special apprenticeships, it is also a strong advocate of industrial schools. Probably the action of Mr. Bullard through the National Association of Machine Tool Builders in advocating the training of specialists, will do much to call the attention of the public to the needs of industrial education. Moreover, this action, representing nearly 100 prominent firms which control the machine-tool output of the United States, so directly in the interest of this form of education, offers strong evidence that the apprenticeship system and industrial education are allied forces.

REED & BARTON, TAUNTON, MASS.

Among the other well-known manufacturers of the country adopting a liberal apprenticeship system, and proving by their experience under it that such a system must be dealt with when considering industrial education in any form, is the firm of Reed & Barton, Taunton, Mass., silversmiths, which is uniting its shopwork with a course in mathematics, mechanical drawing, etc., conducted during the regular hours. Such instruction is in addition to the regular instruction in mechanical drawing which it has been giving its apprentices. The "training room" has been in operation but a short time.

GORHAM MANUFACTURING COMPANY, PROVIDENCE, R. I., AND OTHER ESTABLISHMENTS.

The system of this concern comes into the category under consideration. So does that of John A. Gledhill, patternmaker, Providence, R. I., although here the boys must take mechanical drawing and arithmetic during two or three evenings a week in some of the evening schools of Providence. They are also sent on visits to different shops and factories.

Pratt & Whitney, Hartford, Conn., the Underwood Typewriter Company, Hartford, Conn., and many, many others in the whole country might be cited to show that the apprenticeship system is not dead, that it exists not only in its old-fashioned type, but in its modern up-to-date type, and is constantly progressing toward the highest form of trade and technical instruction.

GENERAL CONSIDERATIONS AND CONCLUSIONS.

If industrial education means the sort of education which relates to the industries and attempts to prepare our workers for them, it is proper to examine the needs of these industries and the manner in which they are endeavoring to meet these needs.

One of the greatest needs is for skilled workers. This has been a very acute problem in days of prosperity and a serious phase of the labor question at all times, due to the rapid development in processes of manufacture, which has required an adaptability on the part of the workers that has been hindered in its development by the very nature of the evolution of manufacturing methods.

Advocates of industrial education, in their presentation of the needs of such education, have overlooked some very important developments in factory management along the very lines of the improvement in labor conditions which they so strenuously urge upon the general public. These advocates claim that the apprenticeship system has passed away, and that some form of public education must be provided in order that the workers in our industries may be trained for their work.

It is fortunate for these workers that the old form of apprenticeship is passing away. It does not meet the present industrial conditions. It may be very picturesque to look back upon olden times, and think of the boy who was indentured to a master craftsman as binding himself for a term of seven years, of living in his master's house, of sitting at his master's table, and attending his master's church, and being started out at the completion of his term of service on life's road with a new suit of clothes and a word of God speed.

There is another side to the picture, however. The boy served a term of seven years, when it would have been possible, through a more definite training, to have taught him his trade in much less time. Although he lived in his master's house, he performed many times certain domestic duties. "Learning the trade" meant a long period of shop sweeping, running errands, and other labor which bore little or no relation to the trade itself.

To be sure, he had the opportunity of working under one master craftsman, and eventually absorbed all of the skill and knowledge of his master. But the shop conditions of that time were different from what they are to-day. The master knew the whole of his trade and practiced it every day. There was little subdivision of labor, little differentiation of the industry into subdivisions, no elaborate factory system such as exists to-day.

Fortunately there can be no general return to the old apprenticeship system. The present industrial conditions will not allow of it, and it would be absurd to consider present social conditions meeting the old relations between apprentice and employer. No one with a right understanding of present industrialism, its spirit, purpose, and methods would advocate for a moment a return to the old system of manufacturing. Without a return to this older industrialism one could not expect to have any regard for the experience of the former apprenticeship system.

The proprietors of industrial establishments at the present time are not blind to the necessity of training labor in their own works. There is hardly a manufacturing firm to-day, especially in machine trades, in jewelry trades, in shipbuilding trades, which does not have some form or other of apprenticeship system whereby the boys are indentured for a term of years to the trade.

As in olden times some boys were fortunate in living and working for good employers, who cared for them physically and ethically and taught them the trade in which they promised to serve, so to-day one finds varying phases of apprenticeship agreements and fulfillments. The present systems range from those which merely indenture the boy for a term of years, with a gradual increase of wages, but without a very definite system of shop training, which is so necessary for the keeping of the agreement made by the employer that the "boy shall be taught the art and mysteries" of the trade, to the system employed by some of the best industrial establishments in the country, where definite facilities are given for the boy to learn the trade, and where he may go to a school connected with the factory, and where his daily trade work and his personal life are carefully supervised by a salaried officer whose special business is to look after the apprentices.

The point for consideration by the student of industrial education is, to what extent do these modern apprenticeship systems meet the arguments advanced for the introduction of industrial education as a part of the public school system. All employers realize the importance of this kind of education. Those who can afford it prefer their own system. More, not able to maintain schools in connection with their works, are in favor of the public supply of the facilities. But it is very rare to find an employer opposed to some scheme of industrial education.

In the careful investigation of the apprenticeship systems of the country for the purposes of this publication, it has been found that there is a wide variance in their procedures. For example, in the machine trades, very few industrial concerns have no system; the majority have a system of indenture for a term of years, while a few have a very elaborate scheme, whereby they give a trade training which will compare favorably with the best public industrial training which can be offered. The building trades have a system of trade training more like that of former times, due to the nature of the trade, as their materials are still put into position by hand, and boys can be assigned to work under master mechanics as of old. On the other hand, any apprenticeship system which may have formerly existed in the textile industry would be entirely out of question under modern factory conditions.

In the shoe industry there has been such an enormous growth in the use of machinery and such a consequent subdivision of labor, that no apprenticeship system worthy of the name can be introduced. This will be clearly recognized by the statement that there are over 100 operations in the making of a shoe, while the industry itself has been subdivided into last making, leather working, shoe making, shoe machinery manufacture, shoe fixings, finishes, etc.

The printing and book-making trades have an apprenticeship system in common with other less important industries.

It is readily seen that some industries have great possibilities in their own works for the proper training of employees, while other industries must look to public industrial education to meet their needs for skilled and intelligent workers. The point to bear in mind in this connection is that industrial education must be adjusted to the labor requirements of these various industries. In some cases the public school system must actually supply, as far as any such system can supply it, the demand for skilled workmen. In other cases training in a school must be supplemented by the training in the shop; and finally, the public school may have as its function simply the proper preparation of boys and girls for the practical and efficient training received under an excellent apprenticeship system.

It is worthy of note in this connection that an intelligent comprehension of the needs of a modern apprenticeship system exists in a great majority of those industries where such a system is possible. The last ten years of unprecedented prosperity have made the need for skilled workers so acute that every industrial concern of note is alive to the necessity of some plan of training industrial workers through a factory system. Instead of a decadence of the practice of indenturing apprentices there is a marked revival of a definite system of training labor, and it is but a question of time before industrial education as it exists in theory will confront the apprenticeship system as it exists in fact.

The tendency toward the general adoption of some form of apprenticeship is decidedly marked in all trades and industries where such a system is practicable; indeed, it is but a question of time when all concerns will have as good a system as a few now have, and these few will have a system far superior to the one now existing. In view of this fact it is worth while to examine the principles and methods of some of the best of these systems.

A careful selection is made of boys fitted for the particular work in view. They pass a physical, mental, and moral examination, which corresponds to a school-entrance examination. Allowance is made for previous shop experience or academic training. Graduates of manual training schools and technical colleges have their period of apprenticeship shortened.

Their rate of pay is determined beforehand and increases frequently enough to make the boys feel that they are getting ahead. Some firms advocate a deposit as a guarantee of good faith and to assist the parent in taking the matter of indenture more seriously. Other firms retain the money earned during the trial service until the term of indenture has been completed. The majority of firms give a bonus varying from $50 to $150 at the completion of the term of service to those boys whose conduct, both moral and technical, warrant it. This procedure has the same effect as school ranking and certificates.

The length of service is definitely agreed upon when the indenture papers are signed, and usually is four years, depending, however, upon the particular trade and the age at which the candidate enters it. The older the boys, the less time is available for this service.

The kind of work the boys do is varied, and in this way the future of the apprentice is considered, as well as the profits to be derived from his service. A schedule is arranged beforehand, so that the boy may know how much time he will be expected to give to certain processes and machines. In brief, it is a shop course of study such as any industrial school would be expected to have. At least three large concerns have special shops set aside for the first two years of training of apprentices, which practice guarantees to every boy an equality of opportunity, and affords him expert instruction in the practical work during the most important part of his course.

This plan makes a close approach, in its spirit and purpose, to industrial education, in that there is a special shop instructor qualified to teach a definite shop course—a man who teaches the boys the best principles of manufacturing, and prepares them for the other work which comes in the regular shops in the last two years of service.

There can be no question raised as to the value of the instruction received in such a training room. The shop methods are up-to-date, and the learning of them is not dependent upon master workmen in the regular shops, whose methods may be more or less obsolete or who may be indifferent to imparting knowledge.

Nearly all of the best concerns which have the modern apprenticeship system "arrange for" academic work to supplement the work in the shop. They recognize that the object of the system is to teach the boy a trade, and that the trade can not be learned unless the boy knows the mathematics, mechanics, and business methods which accompany the trade. This instruction is given by some establishments in a schoolroom connected with the factory. When the teacher of these subjects is a master of pedagogical principles, and has an interest in boys and a knowledge of the industry, it is readily seen that this supplemental academic instruction, combined with shop training, is a very strong competitor of the best industrial education under public auspices that could be devised.

The phrase "arranged for" has been used advisedly, for no two concerns agree as to the method they employ for this academic instruction, and unfortunately the methods adopted sometimes lack in definiteness. The public industrial or trade school will always be a better place for a boy to receive the proper academic instruction, unless the industrial establishments make an effort to arrange means of imparting more definitely this instruction.

A few manufacturing concerns, such as the General Electric Company at West Lynn, Mass., the Fore River Shipbuilding Company at Quincy, Mass., the Yale & Towne Manufacturing Company at Stamford, Conn., and the George V. Cresson Iron Works at Philadelphia, together with three large railroads, have each provided definite instruction in the theory as well as the practice of the trade it represents. In each case one of the engineering staff has been chosen as the academic instructor, and through special text-books and notes the boys are shown the reason for shop processes and the application of principles of mathematics and science. None of these concerns give instruction in English or history except such as may incidentally be called for in class discussion. The special text-books and notes on mathematics and mechanical drawing which are used are exceedingly practical, and furnish an object lesson for any student of industrial education. In cases of advanced apprenticeships the boys are taught on "company time," being paid for the time consumed. This is an essential feature of modern apprenticeship systems.

The majority of the concerns having an apprenticeship system fail to provide in their works definite instruction in the related subjects of mathematics and science. An investigation shows that they "encourage" boys to attend public evening schools, mechanics' institutes, and the Young Men's Christian Association classes. Careful investigation shows that this encouragement lacks definite results. The effort of the boys is not followed by definite reports from the school authorities, and in only one instance, the Baldwin Locomotive Works, do the factory managers know definitely how many boys attend the evening schools. The Baldwin Locomotive Company require those apprentices who are deficient in school training to attend the public evening schools, and last year 143 out of 338 who were serving their time were required to attend.

To "encourage" boys to take correspondence school work and evening school instruction without following them up or offering definite inducements for so doing by a shortened apprentice course, while it may show a tendency on the part of employers to recognize the efficiency of education, will not bring the results that public industrial education would produce where book instruction was a required part of the course for every boy. In this respect the appren-

ticeship system as now carried on is in marked contrast to the work which would be done in the regular industrial or trade school.

In all the better apprenticeship systems the boys are in charge of a competent man, whose duty in whole or in part is to see that a proper selection is made in engaging new boys and in looking after their general welfare. He is expected to encourage clean personal habits, inculcate right ideals of work, and exert a wholesome influence on the boy both inside and outside the factory.

There are certain well-defined advantages of a proper apprenticeship system over almost any industrial school system which is likely to be devised. A good shop system assures the boy a practical training in actual shop processes and methods, for every apprentice is employed on the regular factory product. The psychological value of commercial work is of great importance. It takes a boy out of the sphere of theory and into that of practice. It clinches the boy's interest, and makes him realize that the product of his work is to be a part of some useful machine. It makes him familiar with factory life and system. It may save the time of the boys, for the boy coming from the school shop, no matter how good his training, must start as an unknown quantity with his new employer and win his way from the beginning, while a boy already four years in the service of the company may have won their confidence and esteem, may have developed ability and a spirit of loyalty, so as to put himself in line for promotion even before he completes the apprenticeship term of service.

The apprenticeship system of a large factory which is the chief industrial concern of a city, will naturally be considered by the public as the substitute for a trade school, as both parents and boys will argue that as long as the boy is eventually going to work for the concern, it would be just as well to start at once after leaving the grammar school and not " waste " time by attending a special school, in view of the fact that the concern would not recognize the preparation of the trade school graduate by deducting more than a year or two from his term of indenture.

The apprenticeship course gives a boy a chance to earn as well as learn. This has an important bearing upon industrial education, for the class of boys which will be attracted, in the minds of the advocates of apprenticeship, are just the ones who can not afford to spend four years in a trade school where no opportunity is presented to earn money. The idea of earning money is strongest in a boy in his early teens, and in his desire to be a producer the apprenticeship course will appeal to him.

In so far as the apprenticeship system does not overemphasize academic instruction, and there is no evidence that it ever will, it will offer great inducements to the boy who does not want to study.

Those who favor industrial schools make a special point of the appeal which schools of this character will make to boys of this type. Indeed, every industrial school programme published at the present time places less emphasis on academic instruction than now exists in our manual training high schools, but at the same time the school side overshadows the shop side. The apprenticeship system stands for shop first and the school afterwards.

The apprenticeship appeals to the parents of boys as being very practical. The prevailing opinion among the majority of people that a trade can only be learned in a shop, is one that a trade school will have difficulty in meeting in the face of definite shop training presented in the form of the modern apprenticeship system. It is not intended to convey the impression that the parents are correct in their assumption, but merely to point out that such an impression exists and will have a marked bearing on the problem of trade-school education.

Apprenticeship systems appeal to the employer because he can train boys in processes and methods peculiar to his business, or in what, rightly or wrongly, he considers as being peculiar to him. Even in the case of the best of trade schools the employer would have to adjust his methods to those employed in the school, or else the school would have to fit its courses to meet the needs of the manufacturer, and the latter would be impossible where a large number of concerns of similar character existed in the same city. Moreover, the employer can afford to teach a boy who is inexperienced if he is an apprentice, as he can make a profit on him. If the boy were a trade-school graduate, he would want more pay at the start than the employer could afford to pay him, in view of the fact that the boy would require time to adjust himself to shop conditions.

The apprenticeship system most certainly appeals to the majority of workingmen, in that it starts the boy at the bottom round of the industrial ladder, and through a natural process of the "survival of the fittest" eliminates the undesirable elements. The trade school might give its graduates an impression that they were predestined to be foremen, and aside from causing hard feelings on the part of shop-trained boys, would tend to close the door of advancement to those who were not graduates of trade schools. It is of social and industrial significance that our head workers should rise from the ranks if we are to get the best results from the mass of industrial workers. On the other hand, the apprentice would advance through a deserved promotion gained by experience to positions of responsibility. His personal contact with the rank and file would leaven the entire mass of his fellow employees. The experience of men now foremen and superintendents who have risen from being apprentice boys points

out that they get along better with those under them because they were "one of them."

A proper apprentice system is the only way to give trade training in lines of industry located in small cities and towns where there are not enough industrial workers to warrant a special public trade school, or in those industries, located in large cities, which have a special line of manufacturing which no public school would be warranted in teaching to boys, because of the expense of special courses of instruction for one industry which was not typical of the majority of the other industries.

The impression must not be given that all apprenticeship systems are a substitute for the trade school, for there are at the present time, as has been pointed out, but a few concerns which carry on an apprenticeship system that meets the entire social and trade problems as would a good trade school. Given a practical sort of trade school with the emphasis on the shop side and a system of academic instruction well correlated with the shop instruction, and, on the other hand, a first-class apprenticeship system with thorough shop training and a reasonable amount of academic instruction, it might be hard to see which would be the better for the boy. With a poor apprenticeship system, with the exploitation of the boy at the expense of shop and academic training, there would be no question of the advantage of the public trade school.

It is to be noted that not all the boys of a community work in a shop which has a complete apprenticeship system such as has been outlined. There are some shops which have merely an indenture system without definite shop training, and no academic training. There are others which are engaged in a line of work where no apprenticeship would be possible, and still others which are too small to have more than a half a dozen apprentices and in which it would not be feasible to have any elaborate shop and school training in their works. Under such conditions these industries must look to public trade schools to supply their need for skilled labor. Investigation shows that there are few cities where there would not be need for public industrial education which would have two purposes in view, one the preparation of boys for the advanced type of apprenticeship system, represented in a few of the local factories, and the other a trade training which would be a substitute for the lack of first-class shop training which might exist in the remaining shops.

There is still a large number of shops in which there is a so-called apprenticeship system that exists in name only, and this condition is worthy of more than a passing notice.

The apprenticeship system should have as its basis a mutual agreement between two persons, the employer and the boy, to perform certain acts which are of mutual advantage, the employer agreeing to

teach the boy a trade, and the boy in return agreeing to be faithful in the performance of his duties and to continue his services for a certain definite time. No contract can be worthy of the name if it is one-sided, and no apprenticeship system will succeed where the interests of the boy are not bound up with those of his employer.

The problem of trade training is made very complex by the present system of specialization, and owing to the short time required for a beginner to learn a single process and become a productive unit in the factory. A proper apprentice system will guarantee to the boy the opportunity of learning his trade as a whole, at a fixed wage with a steady increase.

The employer must provide shop facilities so that the boys can receive this all-round training, and so avoid the exploitation of the boys. Unless great care is exercised such exploitation is very probable, for the foreman and the boy are working at cross purposes. The boy expects definite shop training, wants to procure all possible information in the shortest time, and desires a variety of work and opportunity to work in all departments. The foreman, on the other hand, representing the company, strives for economy, for cheapness of production, and he can better further his ends by keeping the apprentice on one class of work and in one department for a long time.

Few foremen combine a legitimate care of their own interests with a proper appreciation of the boy's objective. The average foreman utilizes the apprentice at first for an errand boy. Then he gives him simple work at a bench, such as chiseling and plain filing, cleaning of small castings, or assisting the stockkeeper in handling small tools and stock materials. While this procedure accustoms the boy to the factory atmosphere and gives him an elementary knowledge of his trade, it does not take long before the bend in the efficiency curve is reached, and any further expenditure of time gradually becomes more and more disproportionate to the additional advantage gained.

This forces the apprentice to push himself forward in order to learn different classes of work, and the foreman is usually slow to respond by giving him the advantage of a variety of training, because if the boy is inefficient at some particular work he will naturally be held at that work for improvement, and, on the other hand, if the boy is efficient, the foreman is likely to keep him for an undue length of time on it in order to get the greatest commercial advantage from him.

Sweeping floors, piling castings, and running errands may try out the boy and test his ability to stick to his job, but these qualities would be tested just as well by assigning him to definite bench or machine work, for the shop management ought to be ascertaining the boy's ability to make a good mechanic.

When the shops are in control of narrow-minded workmen the apprentice labors under a great disadvantage, in that the workmen fail to show the boy anything. Either through ignorance or maliciousness the workmen fail to point out to the boy the best method of doing the shop work. They would have him "pick it up" as they did. In some cases the workmen themselves do not know the latest principles in shop work. Through special shop training rooms the General Electric Company has been able to develop a standard of labor-skill which would not have been possible if the boys had been thrown in contact with the mass of mechanics. When these boys graduate from the apprentice course they set a standard for the whole factory organization.

Another disadvantage of some apprenticeship systems is that certain establishments are so large, have so many departments and so many operations and processes, that the capacity and time of the boy are fully employed in mastering the details of one department to the exclusion of all other departments. This tends to keep the boy in that department after he has finished his term of apprenticeship service, and prevents him from working in any other department in another factory should he desire to leave the employ of the firm. Public industrial or trade schools should never become so narrow in their scope as to prevent an all-round shop training.

Up to this point the argument has concerned itself with two phases of the apprenticeship system, one a definite and complete system, which may or may not be a substitute for the trade school, depending upon conditions both civic and industrial; the other an indefinite and incomplete system, which lacks the fulfilling of a mutual obligation, which is very essential to a properly conducted apprenticeship course. There is yet another form of apprenticeship system now in existence which has a very important bearing on the whole subject of industrial education. It represents just as definite and complete a system as the one first referred to, except that it indentures apprentices to one department, and one department only, for a term varying from one to two years. It is called the special apprenticeship system. It has been adopted by the National Association of Machine Tool Builders. This system takes into account the changing conditions in the machinery manufacturing business with regard to the increasing specialization which runs through the industry. It assumes that, if the vast majority of workmen are to be specialists, the apprenticeship system should recognize the fact and train boys for the work which they are going to do. The managers in these concerns state that it is a condition and not a theory which confronts them. They state that it is difficult to obtain boys for the general shop courses through the low rate of wages which can be offered them, because when boys are transferred from one department to another there is for the time

being a loss of efficiency as far as output is concerned. High enough wages to attract boys can not be paid without a loss in profit.

Under the special apprenticeship plan boys attain a good degree of efficiency in a comparatively short time, deliberate instruction in one department being reflected in an immediately increased efficiency, and the plan is furthered because it is found to be immediately profitable to the employer to give it.

These manufacturers have been hindered in their production by the lack of skilled men and the difficulty of procuring boys to learn the trade of machinist, for these boys could go right into the shop as machine hands and earn good wages at automatic machines.

The only way these firms could meet the problem was to give the boys, as special apprentices, the sort of work which paid a definite profit to the firm from the start. This plan appeals especially to boys from the country who, away from home, can not live on the small wages paid the general apprentice.

The special apprenticeship contract covers a trial period of two hundred and forty hours, and then an indenture to one of 11 departments—turning, vertical boring mill, horizontal boring mill, planing, milling, drilling, grinding, erecting, turret, vise, scraping. Not less than 12 cents an hour is paid the beginner, and at the end of one and one-half years he can earn as much as 20 cents per hour. The general apprentice course in many factories has frequently a maximum wage at the end of four years of service not approaching what is paid under the special apprenticeship plan at the end of a year's service.

As a rule, specialization limits capacity and narrows the mind. It is right as it secures special skill, but there should be something more in order to train the broad man.

Careful investigation shows that the demand for trade schools comes from employers who have no systematic, definite method of training their apprentices. These men are of the opinion that a public trade school would furnish them with a supply of skilled mechanics. Generally they have no more realization of the probable results of a public trade school, as far as producing skilled mechanics is concerned, than they have of the possibilities of a first-class apprenticeship system in their own works.

Those managers of industrial concerns who have now in operation a broad, comprehensive form of apprenticeship are in favor of trade schools, not because they will meet their special needs, but rather because they are in favor of all forms of industrial education, and the success of their apprenticeship system has proved to them that trade instruction can be made practical and effective. Moreover, these men desire to see the general introduction of trade schools to meet the needs of concerns which do not and can not have a system of apprenticeship as elaborate as their own.

In general it may be said that the superintendents of those industrial organizations which have this advanced type of apprenticeship, combining shop and academic training, do not feel that local schools will meet the needs of their own factories. They claim that the technical requirements of their business are such that no special public trade school could ever fill the requirements. This feeling exists very strongly among the managers of the various railroads which have adopted an apprenticeship system. Some of these men feel that the trade-school graduate would come into the shop with a more or less high opinion of his economic value, and the company would have to spend a couple of years making him over, and those years would be somewhat wasted as far as both parties were concerned.

Moreover, they feel that it is far better to train boys right in the shops in such a way that they can eventually become foremen and superintendents, than to train them outside the shops and then expect them to have the same influence on their shopmates that they would have if they had been taught in the same manner as the other boys. It is not to be understood that any of the industrial managers are opposed to trade schools "per se." They simply do not see the need for them in connection with their own concerns, but they do wish to have them for the "other fellow," who has no definite system of training skilled mechanics.

The Douglas Commission on Industrial Education emphasized the need for industrial schools which would provide for the boy and girl of from 14 to 16 years of age, who leave the grammar school and "waste two years" before they are wanted in the industries. This statement is reenforced through recent interviews with manufacturers. The terms of the indentures which these men have adopted do not provide for a boy before he is 16 or 17 years of age. These men find that many of the applicants have left school as soon as the law allowed, that they have been in all sorts of work, and that they have not improved mentally or morally and have forgotten many of the precepts taught in school. While they emphasize the fact that they prefer to give trade instruction to these boys in their own way, they would like to have boys better prepared in the lines of general intelligence, in hand training, with a better mental grasp of industrialism, a better understanding of practical mathematics, simple mechanical drawing, etc., and hence believe firmly in public industrial education.

While the question may arise as to the value of the trade school as compared with a first-class apprenticeship system, there is no doubt of the need for industrial training in our public schools as a definite preparation for the special shop training which is being

generally adopted in all modern shops, as well as for employment in those concerns which have only a mediocre system of training.

The unwillingness of manufacturers to employ a boy until he is 16 or 17, and so has reached the age of discretion as well as more physical maturity, makes it imperative that public education provide facilities for meeting this condition. The recent developments of the special apprenticeship system in the machine tool builders' trade only emphasize the need for this type of school. The tendency is toward specialization. There is no getting away from the fact. The rapid increase in the number of divisions of the various industries into related industries, the ever-increasing subdivision of processes and operations within a single department of an industry, mean that no worker can master the whole of an industry unless extraordinary effort is made, either by trade schools or by manufacturers through complete apprenticeship systems, to offset the prevailing tendency.

Specialization tends to narrow the field of vision of the worker. If this condition is likely to continue, and there is no reason to think this will not be the case, it means that the boy must receive some all-round academic and hand training before he goes to work, for it will be impossible for the majority to rise above the conditions imposed by the prevailing industrial organization. It is the common experience that few boys who enter upon the special apprenticeship system ever take up the full apprenticeship course afterwards. The pay at the end of the special apprenticeship service is too large in proportion to that which a boy would receive if he started over again in another department, to make it a sufficient inducement for him to continue a scheme of training which would make him a master of the details of all departments, of which there are as many as 11 in the machine tool industry.

The action of the National Tool Builders' Association in boldly stating that they expect to train specialists will do more to call to the attention of the public the necessity for broad industrial training before the age of 17 than any other procedure. The public must face the question as it stands.

There is a need for more practical application of mathematics and science in our public schools, whether they be the regular public schools as now conducted or the special industrial schools to come. The excellent work being done by the superintendents of apprentices in the large industrial establishments along lines of practical teaching, by shop problems bearing upon the formal subjects of arithmetic, algebra, geometry, mechanics, and chemistry, will have a great influence on the courses of study in the regular and special schools conducted under public auspices. It is a revelation to see the manner in which the teachers in these apprentice courses approach the problem of the application of theory to practice. Each example is a

concrete illustration of some mechanical or other principle of the daily shop practice. In some instances the teaching covers arithmetic, elementary algebra, mensuration, elementary trigonometry, elements of machines, power transmission, strength of materials, elementary electricity, mechanical drawing, and machine design. The apprentice learns a valuable lesson of the monetary value of such a training by the mere fact that the company is willing to pay his regular wage during the period that he is receiving this academic instruction.

No provision is made by many firms for academic teaching in connection with the apprenticeship system. Many firms do not feel that they can afford to do it, and express the conviction that either the public day school ought to meet this requirement or else the apprentices should attend a good evening school. But whenever a concern can have the boys engaged on productive work and at the same time give them academic training, all on a profit-paying basis, it is to be hoped that it will adopt the scheme of combined shop and school training.

As the matter now stands, the public evening schools and other agencies of supplemental education are the only ones to provide facilities for this school instruction for boys who have not received sufficient training to enter the trades. A few managers do not favor the evening school plan, as they believe that the boys are not in a physical and mental condition to do the best work. The majority are in accord with supplementary evening instruction, and believe that the principle of the survival of the fittest will serve to eliminate the boy who has not sufficient perseverance and patience, and leave the boy who is worthy of promotion to a higher position.

It appears that evening schools will have an important bearing on the future apprenticeship system. Doctor Balliet states that the problem of efficient evening school instruction is to-day one of the most serious educational questions. It is interesting to note that the apprentices themselves oftentimes prefer to attend evening schools conducted under private auspices rather than take public evening courses. In one concern which compels apprentices to attend some evening school, 42 per cent go to private schools where they are obliged to pay a fee and furnish their own text-books. They state that they receive more individual attention in these schools, and that the courses of instruction are more closely adapted to their needs.

Such a statement is seen to be undoubtedly true, if one considers that the majority of public school-teachers are regularly employed in the day schools and naturally use the methods and texts prescribed for day students. Private educational institutions which are available to these apprentices are usually open only nights, and have a

special corps of teachers selected from the various factories. While this is done for the sake of economy, as no institution could afford to pay a teacher at the rate of a full day's work for a few hours in an evening, it serves a pedagogical and industrial purpose by providing competent men who are fully alive to the requirements of modern industry.

It is but a question of time before public evening schools will offer opportunity for all classes of workers. Much of the instruction at the present time is adjusted to meet the needs of the commercial class. The time must come when the facilities of our manual training high schools and technical schools will be open to the apprentices of the community. The excellent example of the Springfield Technical High School in throwing open its doors to the mechanics of the city, whereby they can use the shops and drawing room, is worthy of emulation by other cities. The well-equipped Stuyvesant Technical High School in New York City will be open soon to the mechanics of the city. Other cities are contemplating a similar course. In this way whatever evils result from shop specialization can be met.

A differentiation in the teaching of the various subjects will eventually come about. In the German continuation schools one finds that there is " arithmetic for the machinist," " arithmetic for the carpenter," " chemistry for the textile worker," etc. There is no reason why a group of 75 apprentices now divided into three sections in our public evening schools without regard to occupation should not be formed into the same number of sections, but with each section made up of men in allied trades. Moreover, the teacher could be selected for his knowledge of that particular phase of the subject which his section was concerned with. It would not cost the school department any more to employ a man outside the corps of regular teachers, and the result would be more efficient service.

The varied experiences of manufacturers under the different types of apprenticeship which have been described lead to certain general considerations and conclusions regarding the relation of apprenticeship systems to general industrial education, including of course in the latter term trade schools.

Facts that have been given prove without question that the apprenticeship system, as is the case with trade schools and the more general industrial schools, is designed to train for a trade and to develop the mind. Thus the aim and purpose of all three methods are the same, each to be applied and developed in accordance with the conditions of industry and the opportunity of securing pupils or apprentices.

The facts also show conclusively that it can not be assumed that a trade or industrial school of some kind is the only agency by which an increased amount of skill can be obtained or secured. In the opinion of all educators who are advocating some system of education

by which there shall be secured this increased amount of skill, the apprenticeship system in its modern form must be reckoned with as a powerful element. The apprenticeship trade school and the half time trade school should not be neglected.

The main difference between these types of school and the general apprenticeship system of the better order lies in the former placing upon a separate department of industrial organization the duty of training apprentices in those features of a trade which can be best taught in a school. There are nearly as many expressions of these types of school as there are firms or industries in which an attempt is made to conduct them. These schools approach closely the supposed purpose of trade schools, and are at the same time closely allied to the apprenticeship system for two reasons: (1) in some cases they bear a direct relation to an apprenticeship system, as in the case of the North End Union, where one year is deducted from the regular indenture of the boy who attends the school; (2) because in other cases they are carried on by the concern itself as a part of the regular apprenticeship system.

The main difference between the public trade school and the schools that have been described is that the first is initiated by the public and may bear but little relation to the specific needs of employers, and may also have little direct supervision by them, while the second depend upon the initiative and oversight of the employing class. This class does not delegate its duties and attempt to place the responsibility of training efficient workmen upon the public. The advocates of these schools claim that it is not possible to teach trades well without virtually carrying on the business which each trade represents. Furthermore, they solve the perplexing questions raised by trade unions, whether trades should be taught to others than those already actually at work in the trades represented.

The North End Union School, an account of which has already been given, is an illustration of one kind which has a definite connection with the practical work outside of the school, even before the school instruction has commenced. It is a very marked example of the connection which may exist between school authorities and the employing class. It is unique in that a number of employers are interested. It is the training room for a number of printing offices, and is devoted to a single idea—a school of printing. But the principle of this school might be easily applied in other trades. It is a type of school for communities where there are many small concerns in the same line of work.

The Ludlow Textile School is of another order, embodying, however, the same general principles. It is controlled by one set of employers; it is an excellent illustration of the half-time school, and deals with a class of people who would never be encouraged to enter

a trade school where no opportunity was given to earn while learning. Again, the composition of the population at the Ludlow works must be considered, they being largely Poles, Italians, etc. The school is of a type for an isolated factory village having a large number of workers all engaged in one industry, and that of such a nature that a general textile school like those at Lowell and Philadelphia would not serve its ends.

Still another type, yet embodying some of the essential principles under discussion, is exemplified in the school of R. Hoe & Co., already described in detail; this school is conducted at the expense of the company, but after working hours; or perhaps more accurately stated, the apprentices stop work at 5 o'clock, wash up, have a little supper provided at the company's expense, then go to the school room, and for an hour and a half study those subjects which fit them to become expert machinists.

Educators can learn much from these three experiments. While the apprenticeship system, or the several systems, have a direct bearing upon industrial education, broadly speaking, there are some disadvantages as well as the great advantages that have been specified. Among the disadvantages there may be considered the following:

(1) Boys are hired by the employment department and not by specialists who understand boys. After selection, boys assigned to shop foremen are too often utilized as errand boys, to sweep floors, pile castings, and for other work having no relation to the processes of manufacture. It is claimed that this is done to "try out" a boy, yet it is for nothing more than to test his ability to "hang on," his neatness, promptness, politeness, etc. All these qualities could just as well be tested by assigning him to definite bench or machine work, or to the tool room or stock room, where he would become familiar with the stock, organization, etc.

(2) The apprenticeship ideal and the action of the foreman are often at cross purposes. The apprentice desires to learn a trade, while the foreman wants to cheapen the cost of production, and has a tendency therefore to exploit the boy. The placing of boys under the direct charge of journeymen and their acting as helpers to men who are on piece work are examples of this practice. The assigning of boys to automatic machinery and holding them there from the beginning of their course discourages them.

(3) In some shops where the foremen and workmen are somewhat narrow-minded, the apprentice labors under an enormous disadvantage, in that the workmen will not show him or teach him methods. Some of the older men have served their seven years, and they say: "Let the kid pick it up as I did." In one shop it was related during this investigation that a workman, when asked why he

did not show a young apprentice how to do a piece of work, replied, "Do you think I am a teacher?" It would seem as though it would be possible in every shop, no matter how small, to place the boys under the best workmen, those who would have the greatest interest in boys, even if these men were paid 25 cents a day more for special service. Of course the systems that have been described above provide for special instructors, and this sort of thing with them is entirely eliminated.

(4) In the departmental system which prevails in very large concerns to a considerable extent, the boys are apprenticed to one department and can not obtain knowledge of any other. These departments are so large in themselves and have so many operations that they can easily employ all the capacity of a boy for the full term of his indenture. This is all right as long as the boy remains in the company's employ, but if he leaves and does not enter a competing company dealing in the same product he finds his being unsuited for general work a bar to further employment.

Some of the specific advantages and disadvantages of apprenticeship training and trade school training have been very briefly but positively summarized by a writer in The Apprenticeship Bulletin, published by the North End Union, Boston, Mass., for March 1907. They are brought in here because this work is an advocate of trade schools and modern indenture apprenticeship, and the statements are perfectly fair-minded. Some of the reasons why a trade school can render better service than the shop in developing a competent compositor are stated to be: (1) The school can help to make a profitable workman in a shorter time by giving him at once, under instruction, legitimate shop practice in the work of the trade, while in the shop a period of weeks, usually months, is devoted to sweeping, running errands, and similar work, and there is little or no opportunity given to practice the work of the trade. (2) The school can give a series of graded lessons, general and fundamental, upon which other work may be based and further efficiency more certainly developed, while in the shop there is no sequence in the kinds of work given to the learner, in that it is all alike routine work, or it is all so radically unlike to his untrained mind that he gets lost and flounders around in a maze of uncertainty. (3) The school can give the opportunity to do a task over and over again until it is done right, the opportunity to study each problem closely and deliberately, while in the shop there can be little or no chance to try again. The work must be thrown away or allowed to go imperfect. (4) The school can give a broader, more intelligent idea of the relation of parts to the whole. Where there is an opportunity to practice all the usual operations of production, the beginner learns the depend-

ence of each part upon the others. When he locks up a form on the stone he learns why it is important that the composition in the stick or on the galley should be accurately justified. When he puts a form on the press he learns why the work on the stone should be done so that the lock-up is firm and square. In the shop, on the other hand, the tendency to make him do one thing may permit him to become a tolerably good workman, but he is helpless in emergencies and can not grasp any unusual problem. (5) In the school the instruction is direct and personal, given by one who is selected not only because of his superior qualities as a craftsman, but because of his ability to teach. In the shop the instruction is haphazard and accidental, given by a foreman who is already harassed by a multiplicity of details, not to mention his temptation to exploit the boy for the sake of profit to his department.

The same writer gives a few reasons why the school can never take the place of the shop. The shop emphasizes the value of time, on which cost of production is based. A clear perception of how a piece of work should be done is necessary at the outset in order to avoid waste of time and a consequent money loss. Also while a degree of skill and efficiency can be acquired in a school, it needs the incentive of the commercial demands of the shop to develop them to a higher degree. The writer closes by saying that on the whole the shop gives opportunities of putting into practice the principles which have been learned in the school.

These points are apropos not only to the printing trade, but to all others, and the wisdom of the reasons for and against any particular form of trade education, must appeal to all who are looking for the best results of industrial training. With a wise coordination all these various elements lead to the most satisfactory results. It is too late to advocate any particular form of industrial education as the only one. As already intimated, the point should be emphasized in closing this study, that the broad-minded educator on industrial lines must reckon with them all if he hopes to win the public, or gain the great objects sought both by educators and by manufacturers. Narrowness, jealousy of systems, special advocacy of one or the other are prejudicial.

The advocates of the trade school pure and simple must be broad enough to see the benefit of the wider industrial training, and the advocates of this kind of training must acknowledge the great results secured by trade schools and by a modernized up-to-date apprenticeship system.

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APPENDIX.

DIGEST OF APPRENTICE LAWS.[a]

In the following digest, the apprentice laws are considered by States, the statutory provisions in all States being considered as nearly as possible in uniform order and not in the order in which they appear in the statute books.

ALABAMA.

A minor may be bound out by the parents, and when parents are unable to provide for his support, by the probate judge of a county.

A male may be bound out until he is 21 and a female until she is 18 years of age.

The master is required to see that the apprentice is taught his trade and to read and write, to provide him with good and wholesome provisions, necessary clothing, washing, lodging, and medical attendance, and at the expiration of the term of service, to furnish him with two new suits of clothes. He may enforce obedience and good behavior by such moderate corporal punishment as at common law a father or guardian is allowed to inflict.

It is unlawful to entice, decoy, or persuade an apprentice to leave the service of his master, to employ him, to furnish him food or clothing, or to give or sell him ardent spirits, without the written consent of the master.

Source: Code of 1897, sections 496 to 507, 5504 to 5509.

ARKANSAS.

A minor may be bound out by the father with the written consent of the mother; by the guardian if an orphan without sufficient estate for its maintenance, and by the mother if the father is dead and no guardian has been appointed. In any case the indentures must be approved by the judge of the county court. A minor may also be bound out by the judge of the county court in case the parents have not the means, or neglect to maintain said minor.

A male may be bound until 21 and a female until 18 years of age.

The master is required to teach the apprentice a trade and to send the apprentice to school at least one-fourth of his time after he is 7 years old, and the apprentice must be taught reading, writing, and arithmetic to the rule of three, inclusive.

It is unlawful to entice, persuade, or induce an apprentice to leave the service of the master or to conceal him after leaving such service.

Source: Digest of 1894, sections 249 to 258, 1463, 4950.

CALIFORNIA.

A minor of 14 years of age or over may be bound by his father, or by his mother or guardian in case of the father's death or incompetency, or where he has willfully abandoned his family for one year without making suitable provision for their support, or is habitually intemperate or is a vagrant; by an executor who by the will of the father is directed to bring up the child to a trade or calling; by the mother alone if the child is illegitimate; and by the judge of the superior court if the minor is poor, homeless, chargeable to the county or State, or an outcast who has no visible means of obtaining an honest

[a] From Tenth Special Report of U. S. Commissioner of Labor (1904). An examination of recent legislation has failed to reveal any changes of importance to be made in the statutory provisions there given.

livelihood. If a minor has no parent or guardian competent to act he may, with the approval of the superior court, bind himself. The minor's consent must be expressed in the indenture and testified to by his signing the same.

A male may be bound until 21 and a female until 18 years of age.

The master must cause the apprentice to be taught reading, writing, and the ground rules of arithmetic, ratio, and proportion, must give him the requisite instruction in the different branches of his trade, and, at the expiration of his term of service, must give him $50 in gold and two new suits of clothes to be worth in the aggregate at least $60. In all cases the master must pay and deliver to the apprentice the money, clothes, and other property to which he is entitled under the indenture.

It is unlawful to entice, counsel, or persuade an apprentice to run away, or to employ, harbor, or conceal him, knowing him to be a runaway. A master may not remove his apprentice out of the State, but he may be discharged from the indenture by the superior court, if he wishes to leave the State.

Source: Acts of 1901, chapter 157, sections 51 to 63.

COLORADO.

A minor may be bound out by his father, or by his mother or guardian if the father is dead, incompetent, has willfully abandoned his family for six months without making suitable provision for their support, or has become a habitual drunkard; by the mother alone if the child is illegitimate, but subsequent marriage defeats her power to bind a child during marriage, whether illegitimate or not. In the above cases the consent of the minor, who is over 14 years of age, is necessary, and must be expressed in the indentures and testified to by his signing the same. A minor may also be bound out by a superintendent of the poor of the county if either the minor or his parents are, or may be, chargeable to the county or shall beg for alms; if the parents are poor and the father a habitual drunkard, and if the father is dead and the mother is of a bad character or suffers the minor to grow up in idleness, etc. A minor may bind himself if he has no parents competent to act and no guardian.

A male may be bound until 21 years and a female until 18 years of age or until marriage within said age.

An apprentice must be taught his trade and must be instructed in the common English branches of education, in some public or other school, at least three months in every year until he shall have arrived at the age of 14 years, and until he shall have received a common school education. He must be furnished with suitable clothing, food, and attention in sickness and health. Upon the expiration of his term of service, the master must furnish him a new Bible, and two new suits of clothes, to be worth, respectively, $15 and $25.

A master may not remove an apprentice out of the State, but the court may dissolve the indenture and again bind out the child, if the master wishes to leave the State. The death of the master discharges the apprenticeship.

Source: Statutes of 1891, chapters 6 and 26.

CONNECTICUT.

A minor may be bound out by the father or guardian, in which case the consent of a minor who is over 14 years of age is necessary; this must be expressed in the indentures and testified to by his signing the same. The selectmen of a town may, with the consent of a justice of the peace, bind out the children of any person who, having had relief from said town, allows his children to misspend their time and neglects to employ them in some honest calling, and of any person who does not provide competently for his children, whereby they are exposed to want; also any poor children who live idly or are exposed to want and have no one to take care of them. The trustees of the State Reform School may, with the consent of the boy or his parents or guardian, bind out any boy who is committed to said school during his minority. The directors of the Industrial School for Girls may bind out any girl committed to said school. The overseers of an Indian tribe may, with the consent of two justices of the peace, bind out children of said tribe who are poor, idle, and unprovided for. A minor, when of the age of 14, may, with the consent of the selectmen of his town, bind himself if he has no father or guardian within the State.

Males may be indentured as apprentices until 21 and females until 18 years of age, or until their marriage within that age. In the case of Indian children, males may be indentured until 18 and females until 16 years of age, or until

married within that age. Inmates of the Connecticut Industrial School for Girls may be indentured only for the terms of their commitment.

It is unlawful to eloign or entice any lawfully bound minor from the service or custody of his master.

Source: General Statutes of 1902, sections 1250, 2828, 2829, 2841, 4427, 4684 to 4690.

DELAWARE.

A minor may be bound out by the father; by the guardian if there be no father residing in the State; by the mother if there be no father residing in the State and there is no guardian; by any two trustees of the poor if the minor is living in the almshouse, and by any two justices of the peace acting together if the minor has no parents residing in the State and has not sufficient property for his maintenance, or if his parents are not able to maintain and bring him up to industry and suitable employment. A minor when of the age of 14 may also bind himself if he has no parents and no guardian residing in the State, and in this case the consent of a justice of the peace is necessary.

The term for which apprentices may be bound is until 21 years of age in the case of males, and until 18 years of age in the case of females. Immigrants of full age may be bound out for a period of not more than five years.

Apprentices must be given a reasonable education in reading and writing, and must be furnished with proper support and clothing. Upon the expiration of the term of service the master must provide his apprentice with two new suits of clothing. The master has power to enforce obedience and good behavior by moderate correction and by suitable and sufficient means.

It is unlawful knowingly to harbor, conceal, or employ an apprentice who has run away from service; to deal with an apprentice without the consent of his master, or knowingly to encourage him to disobey his master's lawful orders or to neglect his business. An apprentice may be assigned from person to person by assignment executed under seal by both assignor and assignee, with the approbation of any judge of the State or any two justices of the peace, whose approval must appear on the assignment, if bound to a person and his executors, administrators, and assigns. An assignee, executor, or administrator must take a minor upon the terms of the original agreement and be liable for all unperformed covenants.

Source: Revised Code, edition of 1893, chapter 79.

DISTRICT OF COLUMBIA.

A minor child may be bound as an apprentice by his guardian; or, if he has none, by his father; or if he has neither father nor guardian, by his mother, with the consent, entered of record, of the probate court, or without such consent if the minor, being 14 years of age, agree in writing to be so bound. The probate court may bind out an orphan child or any child abandoned by its parents or guardian; any child of habitually drunken, vicious, or unfit parents, when such child is not in the custody of a person who is providing for its maintenance and education; also any child habitually begging or kept in vicious or immoral associations.

The utmost term of apprenticeship is until the apprentice attains the age of 21 if a boy, and 18 if a girl. The term of a child bound out by the probate court is in the discretion of the court.

The master is required to teach the apprentice a trade, and also reading, writing, and common arithmetic; to supply him with suitable clothing and maintenance, and to pay such amount, if any, as may be agreed upon in the contract.

It is unlawful for any person to conceal, harbor, or facilitate the running away of an apprentice, or for a master, except in the case of mariners, to send or carry his apprentice out of the District. The contract of apprenticeship may, with the approbation of the court, be assigned by the master, or after his death by his personal representatives on such terms as the court may prescribe.

Source: Code of 1901, sections 173, 402 to 411.

FLORIDA.

A minor may be bound out by any court or by a guardian. If the minor is under 16 years of age the approval of the judge of the county court of the county of which his parent or guardian is a resident is necessary, and if said

minor is of the age of 16 or over, his own assent, evidenced by his signature to the indentures, is required. Poor orphans, without estate sufficient for their maintenance out of the profits, shall be bound out by order of the judge of the county court. When a person having control of a child under 16 years of age is adjudged a vagrant, said child shall be bound out by the court rendering the judgment. When a person applies to be placed on the pauper list of a county, the board of county commissioners, in granting said application, may in their discretion require that the children of such applicant under the age of 16 be bound out. When a child under the age of 16 is abandoned by the father, who fails to provide it with support and maintenance, it may be bound out by the judge of the county court, but not without the assent of the mother, unless she is unable or neglects to provide for its support and maintenance.

Male apprentices may be bound until they arrive at the age of 21 and females at the age of 18 years.

The master is required to teach the apprentice, in addition to his trade, the elements of reading, writing, and arithmetic. He must give the apprentice a new suit of clothes, shoes, and a blanket immediately upon the expiration of the term.

It is unlawful for any parent, guardian, or other person to entice, take, carry away, or harbor a child duly apprenticed to another, or to cause the same to be done.

Source: Revised Statutes of 1891, sections 2112 to 2116, 2404.

GEORGIA.

Minors may be bound out by their parents, and those whose parents are dead or residing out of the county and whose estates yield profits insufficient for support and maintenance, or those whose parents, from age, infirmity, or poverty, are unable to support them, shall be bound out by the judge of the county court or the ordinary.

Minors may be bound out until they are 21 years of age, or for a stated period. A person of full age may bind himself for a valuable consideration for a limited number of years, not exceeding five.

It is the duty of the master, in addition to teaching the apprentice a trade, to teach him to read English, to furnish him with protection, wholesome food, suitable clothing, necessary medicine and medical attendance, and to teach him habits of industry, honesty, and morality. The master is permitted to use any such degree of force to compel obedience as a father may use with a minor child. At the expiration of the term of service the master must give the apprentice a small allowance with which to begin life, the amount to be left to the master's generosity. If he offers less than $100, the apprentice may decline it, and cite the master before the judge of the county court or the ordinary, who, after a hearing, fixes the sum to be paid.

The master has a right of action against any other person who, after notice, employs his apprentice.

Source: Code of 1895, Volume II, sections 2542, 2598 to 2609; Volume III, sections 119 to 122.

ILLINOIS.

Only a minor under the age of 16 years may be bound out as an apprentice. Such a minor may be bound out by the father with the consent of the mother, or, in case of her death, habitual drunkenness, prostitution, imprisonment in the penitentiary, incapacity, or willful desertion of the family for six months, without her consent; by the mother, in case of the death, habitual drunkenness, imprisonment in the penitentiary, or incapacity of the father, and by the guardian in case neither father nor mother is living and free from above objections. An illegitimate minor may be bound by his or her mother. A minor may also be bound out by the executor or executors who are directed by the father's last will and testament to bring the child up to some trade or calling. A minor who habitually begs for alms, who is or whose parents are chargeable to the county or town, or who is supported in whole or in part at the charge of the county or town, may be bound out by the county board or overseers of the poor, as the case may be, with the approval of the judge of the county or circuit court. A boy committed to a training school for boys, or a girl committed to a girls' industrial school or to the State Home for Juvenile Female Offenders, may be bound out by the officers of said institution.

Apprentices may be bound out until they arrive at the age of 16 years.

An apprentice must be taught reading, writing, and the ground rules of arithmetic. Upon completing the apprenticeship the master must give the apprentice a new Bible, two complete suits of wearing apparel suitable to the condition in life of the apprentice, and $20 in money. The above must be given only in case the apprentice has served one year or more, and they must be secured to and for the sole use and benefit of the apprentice.

It is unlawful for any person to counsel, persuade, or entice an apprentice to run away or absent himself from the service of his master, or for an apprentice to rebel against or assault his master. The master may not remove an apprentice out of the State without the consent of the county court. The death of the master discharges the apprenticeship.

Source: Annotated Statutes of 1896, chapter 9, sections 1 to 19; chapter 23, sections 121, 135, 136.

INDIANA.

A minor may be bound out by the father; by the mother, if there be no father, or if he be incompetent; by the guardian, if there be neither father nor mother. If the minor is over 14 years of age his consent is necessary, and must be expressed in the indentures and attested by his signature. The overseers of the poor (township trustees) may, with the consent of the county judge, indorsed on indentures, bind out the child of any pauper supported in whole or in part by the county, and any child whose parents abandon or neglect or are unable to support it. They may also bind out a child having neither father, mother, nor guardian, and having no sufficient means of support or education; and any white child taken from any asylum in any other State and brought into the State of Indiana to be bound. Children so bound out by the overseers of the poor must be under 16 years of age. The superintendents of county asylums may bind out such poor children as from time to time fall under their care and charge. The board of children's guardians of a county may, by leave of the circuit court of the county, bind out children abandoned, neglected, or cruelly treated by their parents; children begging on the streets; children of habitually drunken or vicious or unfit parents; children kept in vicious or immoral associations; children known by their life and language to be vicious and incorrigible, and juvenile delinquents and truants. Any association for the purpose of establishing and maintaining an asylum and home for the care, support, discipline, and education of orphan children may bind out any inmate who has neither father, mother, nor guardian, or one whose parents have granted to the corporation the authority to bind the child. A minor may be bound out by manual-labor schools organized and incorporated under the laws of the State. The superintendent of the female reformatory of the State may bind out a girl committed there during her minority, but only with her consent. The superintendent of the Reform School for Boys may bind out a boy during minority, but only with his consent. A minor over the age of 14, having no father, mother, nor guardian, may bind himself, but the consent of the probate judge of the county, to be indorsed on the indentures, is necessary.

Children may be bound for a term not extending beyond the age of 21 years if males and 18 if females, but the marriage of a female annuls her indenture.

The indenture is not assignable.

An indenture binding a white apprentice who has more than three years to serve must contain an agreement on the part of the master to cause the apprentice to be taught reading, writing, and the rules of arithmetic to the double rule of three, inclusive, if practicable. All valuable agreements on the part of the master must be for the benefit of the apprentice and may be sued on and recovered in his name.

It is unlawful for a master to compel an apprentice to work more than ten hours per day without additional compensation. An absconding apprentice may by order of court be returned to the master or if he refuses may be committed to jail. The master's death discharges the apprentice. In case the master removes from the State the discharge is optional with the apprentice.

Source: Annotated Statutes of 1901, sections 3186a, 3186e, 3188, 7299 to 7317, 8168, 8285, 8319.

IOWA.

A minor may be bound out, with a written consent appended to or indorsed on the indentures by the father; if the father is dead, has abandoned his family, or is for any cause incapacitated, then by the mother; if she is dead, or incapacitated, then by the guardian; or, if there be no guardian, then by the clerk

of the circuit court. If the minor is more than 12 years of age, the indentures must be signed by him of his own free will. A pauper minor may be bound out by the clerk of the circuit court without obtaining his assent. Poor children under 16 years of age in a poor house or house of refuge may be bound out by the board of supervisors of the county until 18 years of age or such earlier time as may be fixed, or until married before that time. Children in the State Reform School may, with the written consent of their parents or guardians, if any, be bound out by the trustees thereof until the end of their term or an earlier time.

The terms of apprenticeship, except as above indicated, may continue until the attainment of the age of majority, which is 21 years in the case of males, and 18 years in the case of females, or until marriage.

It is the duty of the master to send the apprentice who is 6 years old or over, to school, if there is one in the district, at least four months in each year, and he must clothe him in a comfortable and becoming manner and provide him with suitable and sufficient food.

The death of the master or his removal from the State dissolves the indenture unless otherwise provided or unless the apprentice elects to continue in his service.

Source: Code of 1897, sections 2704, 3229 to 3249.

KANSAS.

A minor may bind himself with the consent of the father, indorsed on the indentures, or, if he is dead, has no legal capacity to give consent, has willfully abandoned his family for six months without making suitable provision for their support, or has become an habitual drunkard, then of the mother or guardian, and if there is no parent or guardian, then of the probate court. An orphan or minor who has no estate sufficient for his maintenance may be bound out by his guardian with the consent of the probate court. An executor who is directed by the last will of a father to bring up a child to some trade or calling, has the power, with the consent of the mother, if living, to bind the child out. A poor child who is or may be chargeable to the county or shall beg for alms, whose parents are poor and the father an habitual drunkard, or, if there be no father, whose mother is of a bad character, or suffers her children to grow up in habits of idleness without any visible means of obtaining an honest livelihood, may be bound out by the probate court. Overseers of the poor of townships and cities and superintendents of county asylums may bind out such poor children as fall under their care and charge. The trustees of the State Reform School may bind out any boy committed thereto with his consent. An inmate of the Industrial School for Girls may be bound out by the trustees of said school.

Male apprentices may be bound until they reach the age of 18 years and females 16 years. Inmates of the State Reform School and of the State Industrial School for Girls may be bound out during their minority or for a shorter period.

An apprentice must be taught reading, writing, and the ground rules of arithmetic, the compound rules, and the rule of three. At the expiration of his term of service, the master must give him or her a new Bible, two new suits of clothes of the value of $40, and $10 in currency.

It is unlawful to counsel, persuade, entice, or assist any apprentice to run away or absent himself from the service of his master, or to harbor or conceal such an apprentice, knowing him to be a runaway. The master may not take his apprentice out of the State, but the probate court may discharge the apprentice from the service of such master, and again bind him, if necessary, to some other person.

Source: General Statutes of 1901, sections 295 to 318, 6988, 7129, 7130, 7151.

KENTUCKY.

A poor orphan and any other child whose relatives or parents, in the judgment of the court, will not bring them up in moral courses, may be bound out by the county court. Any orphan minor may be bound out by his guardian, or, if he has no guardian, by his mother, with the consent of the county court. Children of a man sentenced to the penitentiary may be bound out by the courts in their discretion. The board of trustees of the State House of Reform for Boys and the State House of Reform for Girls may also bind out inmates of these institutions.

The term of apprenticeship is until the apprentice attains the age of 21 years if a boy, and 18 years if a girl.

The master is required to furnish the apprentice proper medical attention, food, and clothing, and to treat him humanely. At the end of the term of service the master must pay the apprentice, if a boy, $100, and if a girl, $50, but if the master has taught the apprentice to read and write he is not bound to pay any money at the end of the term.

It is unlawful to entice an apprentice from his master or knowingly to conceal, harbor, or employ an apprentice who has left the service of his master. A runaway apprentice may, by order of the county court, be arrested and returned to his master or confined in jail for not more than twenty days. It is unlawful to take or send an apprentice out of the State, or to sell his term of service or any part thereof, to any person, or to give another person the right to control such child. If the master dies the apprentice may be bound again to another by order of the county court.

Sources: Statutes of 1894, sections 2591 to 2610; Acts of 1896, chapter 33, sections 11, 18.

LOUISIANA.

A minor may bind himself as an apprentice. The consent of a parent, tutor, or curator is necessary, or, if there be no such person in the parish where the minor resides, then the consent of the mayor of New Orleans, in the parish of Orleans, or of the parish judges of their respective parishes throughout the State.

The term of apprenticeship expires at the age of 21 years in the case of males and of 18 years in the case of females, unless an earlier period is stipulated. Persons who have attained the age of majority may bind themselves to service for a term of five years.

Apprentices under 21 years of age must be taught reading, writing, and the fundamental principles of arithmetic.

The death of the master or his removal from the State dissolves the contract of apprenticeship.

Source: Revised Laws of 1897, page 16, sections 70 to 84.

MAINE.

A minor may be bound out by the father, if living; if not, by the mother or legal guardian. The consent of a minor, who is over 14 years of age, is necessary, and if a minor is bound out prior to that age the indenture will not continue in force beyond that age unless the minor upon reaching it shall give his consent. A minor, having no parent or guardian, may bind himself out with the approbation of the municipal officers of the town where he resides. Overseers of the poor of a town may bind out the minor children of parents chargeable to the town or of those who, in the opinion of the overseers, are unable to maintain them, and minor children who are themselves chargeable. The trustees of the State Reform School may bind out boys committed thereto, and the trustees of the Industrial School for Girls, girls committed thereto, for a period not exceeding the term of confinement.

Males may be bound until the age of 21 years and females until 18 years or until married.

All considerations allowed by the master or mistress in any contract of apprenticeship must be secured by the indenture to the sole use of the minor.

The master may not transfer the apprentice to another person or remove him out of the State. The death of the master dissolves the contract of apprenticeship.

Source: Revised Statutes of 1903, chapter 27, sections 22 to 29; chapter 64, sections 1 to 7; chapter 143, sections 1, 10, 11, 23, 24.

MARYLAND.

The orphans' courts in the several counties and the city of Baltimore, or any two justices of the peace, or in Somerset County a single justice of the peace, may bind out any orphan child, the increase or profits of whose estate is not sufficient for his maintenance, support, or education, children who are suffering through the indigence or poverty of their parents, children of beggars, illegitimate children, and children of persons out of the State to whom sufficient sus-

tenance is not afforded. The trustees of the poor in any county may, in the recess of the orphans' court, bind out the child or children of any pauper or vagrant, but the indentures must within two months thereafter be approved by the orphans' court by indorsement thereon. A minor may be bound out by his father. The directors of the penitentiary and the managers of the house of correction, or any three of them, may bind out the children of female convicts who are brought to or born in said institutions. The House of the Good Shepherd of the city of Baltimore may, with the children's consent, bind out such white female children as are committed to the institution. The managers of the House of Reformation, the managers of the House of Refuge, and those of the Industrial Home for Colored Girls may, with similar consent, bind out the minors committed to these respective institutions. In Baltimore city the president and board of managers of the Children's Aid Society and the managers of the Home for the Friendless may apprentice male and female minors committed to their care. In Allegany County the trustees of the almshouse may bind out any minor child under their charge and dependent on the county for support.

Male apprentices may be bound until 21 and female apprentices until 18 years of age.

The master or mistress is required to give the apprentice a reasonable education in reading, writing, and arithmetic, to teach the apprentice a useful trade, and to supply suitable clothing and maintenance.

It is unlawful for any person to entice an apprentice from the service of a master or knowingly to harbor any apprentice so enticed.

Sources: Public General Laws, 1903, article 6, sections 1 to 30; article 27, section 454; Public Local Laws, 1888, article 1, sections 3, 4; article 20, sections 29 to 31; Acts of 1898, chapter 123, sections 891, 898.

MASSACHUSETTS.

A minor may be bound out by the father; if he is dead or incompetent, by the mother or legal guardian, and if illegitimate, by the mother. If the minor is over 14 years of age and is bound out by his parent or guardian, his consent is necessary and must be expressed in the indentures and testified by the signature of the minor. A minor child who is, or either of whose parents is, chargeable to a town, may be bound out by the overseers of the poor. A minor who has no parent competent to act and no guardian, may, with the approbation of the selectmen of the town where he resides, bind himself out.

A child under 14 years of age may be bound as an apprentice until that age. A minor over that age or a child of any age bound by the overseers of the poor may be apprenticed to the age of 18 years if a female or to the time of her marriage within that age, and to the age of 21 years if a male.

A minor bound out by the overseers of the poor must be taught reading, writing, and arithmetic, and must be given such other instruction, benefit, or allowance, either within or at the end of the term, as the overseers, in the contract of apprenticeship, may require. All considerations of money or other things paid or allowed by the master upon a contract of apprenticeship must be paid or secured to the sole use of the minor.

The death of the master discharges the apprenticeship.

Source: Revised Laws of 1902, chapter 155, sections 1 to 20.

MICHIGAN.

A minor may bind himself out with the consent of the father indorsed on the indentures, or, if the father is dead, not in legal capacity to give his consent, or shall have abandoned and neglected to provide for his family, then of the mother; or, if she is dead or not in legal capacity to give or refuse such consent, then of the guardian; or, if there is no guardian, then of any two justices of the peace of the township, of the recorder of the city, or of the circuit or probate judge of the county. The county superintendents of the poor may bind out a child who may be sent to any county poorhouse, who is, or who may become, chargeable in whole or in part, to the county, or whose parent or parents may become so chargeable. Minors may also be bound out by officers of State institutions acting under the provisions of law authorizing them to place children in families by indenture, etc.; by officers of incorporated asylums or institutions authorized by law to receive, care for, and dispose of minor children; by the father and mother residing in the State, and if either be dead, or of legal incapacity, or has abandoned the child, then by the other, and if the child be

illegitimate, then by its mother; and by the guardian duly appointed if there be no father or mother of legal capacity.

A male may be apprenticed until 21 years and a female until 18 years of age, or until her marriage within that age, or for a shorter time.

A pauper minor bound by the county superintendent of the poor must be given a suitable education. All considerations of money or other things paid or allowed by the master must be paid or secured to the sole use of the apprentice.

The death of the master discharges the apprentice.

Source: Compiled Laws of 1897, sections 2026, 2199, 2213, 2261, 2262, 5559 to 5562, 5568 to 5570, 8292, 8748 to 8775.

MINNESOTA.

A minor may be bound out by the father; if the father is dead or incompetent, by the mother or legal guardian, and if illegitimate, he may be bound out by the mother. The consent of a minor who is over 14 years of age is necessary and must be expressed in the indentures and testified by his signing the same. If there is no parent competent to act and no guardian, a minor may bind himself, but must have the approbation of the county commissioners of the county where he resides. A minor chargeable upon a county for support may be bound out by the board of county commissioners of said county. The managers of the State Reform School may, with his consent, bind out a minor committed to their care.

Children under 14 years of age may be bound as apprentices until that age. Minors above the age of 14 years may be bound as apprentices, males to the age of 21 and females to the age of 18 years or to the time of their marriage within that age.

Provision must be made in the indenture for teaching the apprentice reading, writing, and the general rules of arithmetic. All considerations of money or other things paid or allowed by the master must be paid or secured to the sole use of the apprentice.

The death of the master discharges the apprentice.

Source: General Statutes of 1894, sections 1966, 3523, 4750 to 4762.

MISSISSIPPI.

The law provides only for the binding out of poor orphan children and children whose parents are unable to support them. They may be bound out by the supervisor of the proper district under the direction of the board of supervisors of the county.

Males may be bound out until 21 and females until 18 years of age.

The person to whom the apprentice is bound is required to provide the latter with sufficient good and wholesome food, necessary clothing, washing, and lodging; to treat him humanely, and to send him to school until he learns to read, write, and perform the ordinary calculation incident to the business of the master. At the expiration of the apprenticeship he is to furnish the apprentice with two suits of new clothing, including hats and shoes.

Source: Annotated Code of 1892, sections 3159 to 3163.

MISSOURI.

A minor may be bound out by the father, or, in case of the father's death, incompetency, or willful abandonment of his family for six months without making suitable provision for their support, or if he has become an habitual drunkard, then by the mother or legal guardian. If illegitimate, a minor may be bound out by the mother. When a minor who is over 14 years of age is bound out by a parent or guardian the consent of said minor is necessary and must be expressed in the indentures and testified by his signing the same. An executor who is directed in the will of the father to bring up a child to some trade or calling may bind said child out in like manner as the father could have done. A poor child who is, or may be, chargeable to the county, or who shall beg for alms, or whose parents are poor and the father is an habitual drunkard, or whose father is dead and the mother is of bad character or suffers her children to grow up in habits of idleness without any visible means of obtaining an honest livelihood, may be bound out by the probate court. An orphan minor who has not estate sufficient for his maintenance may be bound out by his guardian under direction of the probate court.

Males may be bound as apprentices to the age of 21, and females to the age of 18 years, or until marriage within that age.

The master is required to cause the apprentice to be given a common school education, and at the expiration of the apprenticeship he is to give the apprentice a new Bible, two new suits of clothes worth $50, and $20 in money. Apprentices are to be defended by those who bound them, from cruelty, neglect, and breach of contract on the part of their masters.

It is unlawful for any person to counsel, persuade, entice, or assist an apprentice to run away or absent himself from the service of his master, or to entertain, harbor, or conceal an apprentice knowing him to be a runaway, or for an apprentice to rebel against or assault his master. It is unlawful for a master to remove an apprentice out of the State. The death of the master discharges the apprenticeship.

Source: Revised Statutes of 1899, sections 4794 to 4821.

MONTANA.

Every minor may bind himself in writing to serve as an apprentice provided he obtains the consent, indorsed on the indenture, of the following person or persons: The father and mother; the mother, if the father lacks capacity to consent, has abandoned or neglected to provide for his family, or is dead and no testamentary guardian or executor has been appointed by him; the father, if the mother is dead or lacks capacity to consent; the testamentary guardian or executor, if the father is dead. If there is no parent of capacity to consent and no such executor or guardian, then consent must be given by the county commissioners of the county, by any two justices of the peace of the town, or by the district judge. The county commissioners may bind out minors who have become chargeable to the county.

Apprentices may be bound out until their majority, which is 21 years in the case of males and 18 years in the case of females.

The master must agree in the contract of apprenticeship that he will cause the apprentice to be instructed to read and write, to be taught the general rules of arithmetic, or in lieu thereof that he will send the apprentice to school three months each year of the period of indenture. The indenture may be annulled for cruelty or maltreatment of the apprentice by the master.

It is unlawful willfully and knowingly to aid, assist, or encourage an apprentice to run away or to harbor or conceal him.

Source: Codes and Statutes, Sanders's Edition, 1895, Civil Code, sections 360 to 369; Penal Code, section 1154.

NEVADA.

A male person under the age of 18 years and a female person under the age of 15 years may be bound out until they arrive at these ages respectively, or for a shorter period, by the father, or, in case of his death or inability, by the mother or guardian. An orphan or destitute child may be bound out by the board of county commissioners of the county or by the district judge of the district in which the child resides. The board of directors of the State Orphan Asylum may also indenture apprentices, and reserve the power to cancel the indenture at any time.

A male apprentice, being bound to serve five years or more, must be taught reading and writing, the rules and principles of common English grammar, and arithmetic to and including the single rule of three. A female apprentice, being bound to serve four years or more, must be taught reading and writing, and the first four rules of arithmetic. The master must furnish substantial food and decent wearing apparel to a male minor bound to serve five years or more, and an ample supply of decent clothing and wholesome food to a female minor bound to serve four years or more.

Upon completion of the term of apprenticeship the master must give two suits of clothing, each suit being of the value of not less than $25, and $100 in money to a male bound to serve five years or more; and two full suits of wearing apparel and $50 in money to a female bound to serve four years or more. All money and property stipulated to be delivered or paid by the master or mistress must be secured to and for the sole use and benefit of the minor.

It is unlawful to counsel, persuade, entice, aid, or assist any apprentice to run away or absent himself from the service of his master, or to harbor or to conceal an apprentice, knowing him to have run away.

Source: Compiled Laws of 1899, sections 620 to 635, 1492.

NEW HAMPSHIRE.

A minor may be bound out by the father, or, if he be dead, by the mother or guardian. If the minor is over 14 years of age his consent is necessary and must be expressed in the indentures and testified by his signing the same. If a minor has no parent or guardian he may bind himself out, with the approbation of the selectmen or overseers of the poor of the town where he resides. Overseers of the poor in any town may bind out all children who are not employed in some lawful business and whose parents are unable or neglect to maintain them. The county commissioners may bind out any minor chargeable or likely to be chargeable to the county. Trustees of the Reform School may bind out any scholar of said school.

Males may be bound until 21 years, and females until 18 years of age or until their marriage within that age. Children under 14 years may be bound out without their consent until that age. Inmates of the State Industrial School may be bound out for the term for which they were committed to the institution.

The master is required to teach his apprentice the art or trade for which he was bound. Pauper minors bound out by the overseers of the poor must be taught to read, write, and cipher, and must be given such other instruction as the overseers may deem reasonable.

It is unlawful to entice or persuade away an apprentice from the service of his master, or to secrete, convey, or send off an apprentice or in any way to cause him to leave such service. The master may recover damages against the parents or guardian of an apprentice for leaving his service without sufficient cause, or if an apprentice uses violence toward him. No indenture is binding after the death of the master, except that if the apprenticeship has nearly expired, the apprentice may choose to complete his term of service with the widow, executor, or administrator of his master, in which case he is entitled to all the benefits of the indenture.

Source: Public Statutes of 1891, chapter 84, sections 5, 6; chapter 180, sections 1 to 13; chapter 284, section 20.

NEW JERSEY.

A minor may bind himself out of his own free will and accord with the consent of the father or, if he is dead, of the mother or guardian. The consent of the mother is necessary also where the consent of the father or guardian is obtained. Said consent must be expressed in the indentures and testified by the party signing and sealing the same. The overseers of the poor or any two of them, with the approbation of two justices of the peace of any county or township, may bind out any poor child, children who have no parents, children whose parents shall apply to the overseers for relief, and the child or children of any poor parents who shall bring up their said children in sloth, idleness, and ignorance, and who, upon advice and direction given by the overseers, shall for three months after said advice and direction refuse or neglect to bind out their children. The trustees of the Reform School may bind out boys committed to said school. The trustees of the Industrial School for Girls may bind out girls therein. The president of a board of trustees of a poorhouse, with the consent of a majority of the board, or, where no trustees are appointed, the director of the board of chosen freeholders, with the consent of a majority of said board, may bind out poor children who are chargeable upon the county. An orphan asylum association may bind out any child under its care for more than one year, but if the parents pay anything toward its support their consent must first be obtained.

Males may be bound out until the age of 21 and females until the age of 18 years.

It is unlawful for any person knowingly to counsel, persuade, entice, aid, or assist an apprentice to run away, or absent himself from the service of his master, or to harbor or conceal an apprentice knowing him to have run away.

Sources: General Statutes of 1895, page 65, sections 1 to 16; page 2505, sections 12, 29, 51, 70; page 2525, sections 107 to 110; page 2721, section 8; page 2728, sections 79, 81, 100; Acts of 1898, chapter 181, section 10.

NEW MEXICO.

A minor may be bound out by the father, or, if the father is dead and no guardian has been appointed, by the mother. Guardians, under direction of the probate court, may bind out orphan minors who have not sufficient estates for their maintenance and education nor friends or relatives willing to incur the expense of the same. In the above cases the indentures must be approved by the probate court. The judge of probate may bind out children who are poor orphans or whose parents have not the means of maintaining them or who willfully neglect to support and educate them, and children who are poor and whose parent or parents shall have been sentenced to confinement in jail or prison for a term of five years or more.

Males may be bound out until 21, and females until 18 years of age.

The master is required to teach the apprentice some useful and reputable art or trade, to send him to school at least three months each year after the age of 9 years, to clothe, feed, and lodge him, and to treat him humanely.

Source: Compiled Laws of 1897, sections 1472 to 1475, 1478 to 1487.

NEW YORK.

A minor may bind himself out as an apprentice for a term of not less than three nor more than five years. The indenture must be signed by the minor; by the father of the minor unless he is legally incapable of giving consent or has abandoned his family; by the mother of the minor unless she is legally incapable of giving consent; by the guardian of the minor, if any; in the absence of either parent or guardian, by the county judge of the county or a justice of the supreme court of the district, whose consent is also necessary to the apprenticing of a minor coming from a foreign country, or of the child of an Indian woman; and by the master. The poor officers of a municipal corporation may apprentice any minor whose support has become chargeable to such corporation, in which case the indenture is signed by the officer apprenticing the minor, by the master and by the county judge if the support of the child was chargeable to the county, by two justices of the peace if chargeable to the town, or by the mayor and aldermen or any two of them if chargeable to the city. Orphan asylums and charitable institutions may apprentice dependent or indigent children committed to their charge, in which case the indenture must be signed and sealed in the corporate name of such institution by the officer or officers thereof authorized by the directors, and by the master, and it may be signed by the child if over 12 years of age. A county court may authorize the county superintendent or overseer of the poor to apprentice any disorderly person until of age; or if of age, to contract for his services as an apprentice for not more than one year. The superintendent of State and alien poor may apprentice males under 21 and females under 18 years, committed to any State almshouse, until they become of age. The managers of State reform schools may apprentice inmates during the term for which they have been committed.

The master must agree in the indenture that he will teach the apprentice, or cause him to be taught, every branch of the business to which the apprentice is indentured, and that at the expiration of the term he will give him a certificate in writing that such apprentice has served the full term at such trade or craft. If the minor is indentured by the poor officers of a county, city, or town or by the authorities of an orphan asylum, penal, or charitable institution, the indenture must contain an agreement that the master will cause such child to be instructed in reading, writing, and the general rules of arithmetic, and that at the expiration of the term he will give him a new Bible. The indenture must in all cases contain a statement of every sum of money agreed to be paid in relation to the service and an agreement that suitable and proper board, lodging, and medical attendance shall be provided either by the master or by the parent or guardian. The master may use reasonable and moderate force or violence to restrain or correct an apprentice.

It is unlawful for a master to accept from an apprentice any agreement or to cause him to be bound by oath that, after his term of service expires, he will not exercise his trade, profession, or employment in any particular place, or to exact from him, after his term of service expires, any money or other thing for exercising his trade, profession, or employment in any place. It is unlawful to take a person as an apprentice without having obtained the consent of his legal guardian, or unless a written agreement has been entered into as prescribed by law. On the death of a master to whom a person is indentured by the poor

officers of a municipal corporation, the personal representatives of the master may, with the written consent of such person, assign such indenture; or if such consent is refused, the assignment may be made by the county judge of the county after fourteen days' notice to the person indentured.

Source: Revised Statutes of 1901, page 150, section 7; page 982, section 18; page 1055, sections 70 to 77; page 2694, section 98; page 2773, section 250; page 3274, section 126.

NORTH CAROLINA.

A minor above the age of 14 and under 21 years being a male, and under 18 being a female, whether indigent or not, may be apprenticed to learn any trade or craft by the father, or, if he is dead, incompetent, has willfully abandoned his family for six months without making suitable provisions for their support, or has become an habitual drunkard, by the mother or legal guardian. If illegitimate, such child may be bound by the mother. If said minor has no parents competent to act and no guardian, he may bind himself, with the approbation of a superior court clerk of the county where he resides. The consent of such minor is necessary and must be expressed in the indenture and testified to by signing the same. A minor over 14 may also be apprenticed to learn a trade or craft by orphan asylums or charitable institutions organized and incorporated for the purpose of taking care of indigent children. Indigent children, among which are included all orphans whose estates are of so small value that no person will educate and maintain them for the benefits thereof; all infants whose fathers have deserted their families and been absent six months, leaving them without sufficient support; poor children who are or may be chargeable to the county or shall beg alms; any child who has no father and the mother is of bad character or suffers her children to grow up in habits of idleness without visible means of obtaining an honest livelihood, and all children whose parents do not habitually employ their time in some honest, industrious occupation, may be bound out by the superior court clerk of the county where they reside.

Apprentices may be bound for a period of not less than three nor more than five years, except in the case of indigent children bound out by the clerks of the superior courts, whose terms continue until majority, which in the case of males is 21 years and in the case of females 18 years of age.

Masters are required to teach apprentices their trade or calling, and in the case of indigent children, the masters must cause them to be taught reading, writing, and the rules of arithmetic to the double rule of three. Apprentices must be furnished with medical attendance, lodging, and clothing. At the end of the term of apprenticeship the master is required to give the apprentice a certificate in writing stating that he has served a full term at the specified trade or calling.

It is unlawful for any person to entice or persuade an apprentice to leave the service of his master, or knowingly to harbor, conceal, or employ an apprentice who has run away from his master.

Source: Acts of 1889, chapter 169, sections 1 to 26.

NORTH DAKOTA.

A minor may bind himself out. The consent is necessary of both the father and mother; if the father is dead, of the testamentary guardian or executor, or, if no such guardian or executor has been appointed, then of the mother; if the father lacks capacity to consent or has abandoned or neglected to provide for his family, of the mother; if the mother is dead or lacks capacity to consent, of the father; if there is no parent of capacity to consent and no executor, of the guardian; if there is no such parent, executor, or guardian, then of the officers of the poor of the town or county, of any two justices of the peace of the county, or of the probate judge. A child who is, or whose parents are, chargeable to a county or city poorhouse, or who is in such poorhouse, may be bound out by the proper officers of the poor with the written consent of a justice of the peace. No child of an Indian woman can be bound except in the presence of and with the consent of a justice of the peace.

Male apprentices may be bound until 21 years and female apprentices until 18 years of age, or for a shorter time. A minor capable of becoming a citizen of the State and coming from any other country, State, or Territory, and binding himself out for the purpose of paying his passage, may be bound for a term not exceeding one year, although such term extends beyond his majority.

An apprentice must be taught reading, writing, and the general rules of arithmetic, or must be sent to school three months in each year for the period of the indenture. At the expiration of his term the master must give him a new Bible.

It is unlawful to accept from an apprentice any contract or agreement, or to cause him to be bound by oath or otherwise that, after his term of service expires, he shall not set up his trade, profession, or employment, in any particular place, shop, house, or cellar, or to exact from an apprentice, after his term of service expired, any money or other thing, for using and exercising his trade, profession, or employment in any place.

In case of the death of the master the executors or administrators may assign the indenture with the written consent of the apprentice, acknowledged before a justice of the peace. If the apprentice refuses such consent, the probate or district court may authorize such assignment without his consent.

Source: Revised Codes of 1899, sections 2837 to 2849.

OHIO.

A minor may be bound out by the father, or, in case of his death or inability, by the mother or guardian. An orphan or destitute child may be bound out by the trustees of a township or by the officers of an orphan asylum wherein he is placed.

Males within the age of 21 years and females within the age of 18 years may be bound out as apprentices until they arrive at these ages, respectively.

The master is required to send the minor to a common school for at least twelve weeks in each year during the apprenticeship, and at the expiration of the term of service he must furnish the apprentice with a new Bible and two good suits of clothes. All money or property stipulated to be paid by the master must be secured to and for the sole use and benefit of the apprentice.

It is unlawful for any person to counsel, persuade, entice, aid, or assist an apprentice to run away or absent himself from the service of his master, or to harbor or conceal any such apprentice, knowing him to have run away.

Source: Annotated Statutes of 1900, sections 757, 781–11, 950–2, 3118 to 3135.

OKLAHOMA.

Minors committed to any reform school may, with their own consent, be bound out as apprentices during minority, or for a shorter period, by the management of such school to learn such trade or employment as may tend to their future benefit.

Source: Acts of 1895, chapter 28, section 5.

OREGON.

A minor may be bound out by the father, or, if he is dead or incompetent, by the legal guardian; if illegitimate, by the mother; and if there is no parent competent to act and no guardian, he may bind himself out with the approbation of the county court of the county where he resides. The consent of the minor who is above 14 years of age, bound out by a parent or guardian, is necessary and must be expressed in the indentures and testified by his signing the same. The county court may bind out a child who is, or whose parents are, chargeable to the county. The superintendent of the reform school may, with the consent of the minor, bind out any minor committed to said institution.

Apprentices may not be bound for a longer term than until majority, which in the case of males is 21 and of females 18 years of age. Children under 14 years of age may be bound out until that age without their consent.

A pauper minor bound out by the county court must be taught to read, write, and cipher, and must be given such other instruction as the court may deem reasonable.

The death of the master discharges the apprentice.

Source: Annotated Codes and Statutes of 1902, sections 5291 to 5315.

PENNSYLVANIA.

Minors may be bound out with the assent of a parent, guardian, or next friend. The justices of the orphans' court in the respective counties shall have full power, at the instance and request of executors, administrators, guardians, or tutors, to order and direct the binding out of minors. The overseers of the

poor may, with the approbation and consent of two or more magistrates of the same county, bind out any poor child whose parents are dead or are found by said magistrates to be unable to maintain it. All corporations organized for the purpose of providing homes for friendless or destitute children may bind out a child committed to their charge, whose maintenance is unprovided for by its parents or guardians. The directors of almshouses may bind out any child in their charge. The managers of the House of Refuge of Philadelphia and of the House of Refuge of Western Pennsylvania may bind out, with his consent, any minor committed to their care. The courts of common pleas and the orphans' court of any county may decree, to officers of any benevolent or charitable institution that may have cared for and maintained a minor child for a period of one year either wholly or partly at its expense, power to bind out the same, provided that due notice must first be given to the parent, guardian, or next friend.

Males may be bound out until 21 and females until 18 years of age.

It is unlawful for any person knowingly to harbor and conceal for more than twenty-four hours an apprentice who has run away from the service of his master.

Sources: Brightly's Purdon's Digest, 1895, page 95, section 6; page 117, sections 1 to 15; page 998, sections 8, 25; page 1704, section 45; Brightly's Digest, 1903, page 55, sections 1, 2.

RHODE ISLAND.

A minor may be bound out by the father, or, if he is dead, by the mother when sole; or, being under the age of 14, by the legal guardian. A minor, if he is 14 years of age and has no parent, may bind himself out with the approbation of his guardian, or, if he has no guardian, by and with the approbation of the town council of the town where he resides. The overseers of the poor of a town, with the advice and consent of the town council, may bind out children of parents who are lawfully settled in and have become chargeable to the town; children of parents so settled whose parents, whether they receive alms or are chargeable or not, shall be deemed by said overseers unable to maintain them; children of parents residing in the town who are there supported at the charge of the State; children of parents or a parent, residing in a town, who have no legal settlement in the State and are adjudged by the town council to be unable to maintain them, and children in a town without estate sufficient for their maintenance, who have no parents residing therein, and who have no legal settlement in the State. Such children may be bound out to any citizen or to any incorporated institution for the care of children within the State or within the States of Massachusetts or Connecticut, to the Providence Children's Friend Society, to the Home for Friendless Children in Newport, or to the Providence Shelter for Colored Children.

Minors may be apprenticed until 21 years of age in the case of males and 18 years in the case of females, or until married within that age.

The master must obligate himself to cause the apprentice to receive instruction in reading, writing, and ciphering, and such other instruction as may be fit and reasonable. All considerations of money, clothes, etc., must be given to or secured to the sole use of the apprentice.

The death of the master discharges the apprenticeship.

Source: General Laws of 1896, chapter 79, section 14; chapter 198, sections 1 to 20.

SOUTH CAROLINA.

A minor may be bound out with the approbation of the father, mother, or guardian, or, if the minor has neither father, mother, nor guardian, of the grandfather, grandmother, or brother, sister, uncle, or aunt of mature age, in the order as above, or, if the minor has none of the above relatives, of the trial justice. Said approbation must be certified on the indentures by a trial justice under his hand and seal. A poor child chargeable to a county, and an illegitimate child likely to become chargeable to a county or to become demoralized by the vicious conduct and evil example of its mother or other person having charge of it, may be bound out by the county commissioners.

Males may be bound as apprentices until the age of 21 and females until 18 years of age or until married within that age. Poor children bound out by the county commissioners may be apprenticed until the age of 16 years in the case of males and 14 years or until married within that time in the case of females.

Source: Civil Code of 1902, sections 788, 2705 to 2714.

SOUTH DAKOTA.

A minor may bind himself out. The consent is necessary of both the father and mother; if the father is dead, of the testamentary guardian or executor, or, if no such guardian or executor has been appointed, then of the mother; if the father lacks capacity to consent, or has abandoned or neglected to provide for his family, of the mother; if the mother is dead or lacks capacity to consent, of the father; if there is no parent of capacity to consent and no executor, of the guardian; if there is no such parent, executor, or guardian, then of the officers of the poor of the town or county, of any two justices of the peace of the county, or of the probate judge. A child who is, or whose parents are, chargeable to a county or city poorhouse, or who is in such poorhouse, may be bound out by the proper officers of the poor with the written consent of a justice of the peace. The State board of charities and corrections may bind out inmates of the State Reform School for Juvenile Offenders.

Male apprentices may be bound until 21 and female apprentices until 18 years of age, or for a shorter time. A minor capable of becoming a citizen of the State and coming from any other country, State, or Territory, and binding himself out for the purpose of paying his passage, may be bound for a term not exceeding one year, although such term extends beyond his majority.

An apprentice must be taught reading, writing, and the general rules of arithmetic, or must be sent to school three months in each year for the period of the indenture. At the expiration of his term the master must give him a new Bible.

It is unlawful to accept from an apprentice any contract or agreement, or to cause him to be bound by oath or otherwise that, after his term of service has expired, he shall not set up his trade, profession, or employment in any particular place, shop, house, or cellar, or to exact from an apprentice, after his term of service has expired, any money or other thing, for using and exercising his trade, profession, or employment in any place. Upon the death of the master, the executors or administrators may assign the indenture with the written consent of the apprentice, acknowledged before a justice of the peace. If the apprentice refuses such consent, the probate or district court may authorize such assignment without his consent.

Source: Revised Codes of 1903, Civil Code, sections 163 to 181; code of criminal Procedure, section 705.

TENNESSEE.

The county court may bind out, in the name of the State, an orphan whose estates are of such small value that no person will educate or maintain him for the profits thereof, a base-born child, and any child totally abandoned by the father and for whom he fails to provide support and maintenance. In the last case above, the consent of the mother must be given in open court unless she is unable to provide for the maintenance of the child.

Orphan children may be bound out until the age of 21 years if males and 18 years if females. In the case of base-born children the age limit is 21 years for either sex.

Masters are required to teach orphan apprentices, or cause them to be taught, to read and write and cipher as far as the rule of three, and to make fit and necessary provision for their diet, clothes, lodging, and accommodations. Upon the completion of the apprenticeship the master is required to pay his apprentice $20 in addition to the stipulations in the contract, and to furnish him with one good suit of clothes.

A master is not permitted to remove an apprentice out of the State without the assent of the court.

Source: Code of 1884, sections 2129, 3422 to 3437.

The county court may bind out an orphan who is without sufficient estate for his maintenance and education, a child whose parents have suffered him to become a charge upon the county, and a child whose parents, not being a charge on the county, shall consent in writing to his apprenticeship, which consent shall be signed by them and filed and entered of record in such court.

Males may be bound out until 21 and females until 18 years of age or until married within that age.

An apprentice must, if practicable, be sent to school at least three months in each year during the continuance of the apprenticeship and while he is within the scholastic age. Sufficient food and clothing and the necessary medicine

and medical attention must be furnished. Moderate chastisement, as may be necessary and proper, may be inflicted upon the apprentice by the master.

It is unlawful for a master to take an apprentice out of the county without the order of the county judge.

Source: Revised Civil Statutes of 1895, articles 23 to 46.

UTAH.

A minor may be bound out by a parent or guardian, and if the minor is over 12 years of age the indentures must also be signed by him. The probate court or selectmen may bind out an idle, vicious, or vagrant minor child without its consent and without the consent of its parents or guardian, if said parents or guardian neglect, refuse, or otherwise fail in properly controlling the actions and education of such child, and do not train it up in some useful avocation; also a child whose parents, from habitual drunkenness and vicious and brutal conduct, etc., are not deemed suitable persons to retain the guardianship or control the education of it. The board of trustees of the State Industrial School may bind out children as apprentices with their consent or the consent of their parents or guardians.

Apprentices may be bound until the attainment of the age of legal majority, which is 21 years in the case of males and 18 years in the case of females.

The master is required to send the apprentice to school while between the ages of 8 and 14 years, at least twenty weeks in each year, and to clothe him in a comfortable and becoming manner.

The removal of the master from the State discharges the apprenticeship.

Source: Revised Statutes of 1898, sections 74 to 83.

VERMONT.

A minor may be bound out by the father, or, if he is dead or incompetent, by the mother or legal guardian; or, if there is no parent competent to act and no guardian, he may bind himself, with the approbation of the selectmen of the town where he resides. If illegitimate, he may be bound by his mother, but the power of a mother to bind out her children, whether legitimate or illegitimate, shall cease upon her subsequent marriage. The overseers of the poor may bind out the minor children of a poor person who has become chargeable to a town, or who is supported in whole or in part at the charge of such town, and minor children who are themselves chargeable to the town. The trustees of the reform school may bind out children committed to said school.

Children under 14 years of age may be bound out until that age. A minor over 14 years of age, whose consent is expressed in writing in the indenture, may be bound during minority, or if a girl, until married before becoming of age. The age of majority is 21 years for males and 18 years for females. Inmates of reform schools may be bound only for the terms for which they were committed.

Considerations of money or other things paid or allowed by the master upon a contract of apprenticeship must be paid or secured to the sole use of the apprentice. Parents, guardians, selectmen, and overseers are required to inquire into the treatment of apprentices bound by them respectively, and defend them from cruelty, neglect, and breach of contract on the part of the master.

No indenture of apprenticeship is binding upon the minor after the death of the master.

Source: Statutes of 1894, sections 2829 to 2854, 3187 to 3189, 5189.

VIRGINIA.

A minor may be bound out by the guardian, or, if there is no guardian, by the father, or, if there is neither guardian nor father, by the mother. The consent, entered of record, of the court of the county or corporation in which the minor resides is necessary unless the minor, being 14 years of age, gives his consent in writing. An incorporated association, asylum, or school instituted for the support and education of destitute children, may bind out such children as have been placed in its charge. Overseers of the poor of a county or corporation may, if allowed by order of a court thereof, bind out any minor found begging in such county or corporation, or who is likely to become chargeable thereto.

The term of apprenticeship must continue until the apprentice attains the age of 21 years if a boy and 18 years if a girl. In the case of a minor placed in an asylum, school, etc., he can only be bound for the period for which he was placed in such institution.

An apprentice must be taught, in addition to his trade, reading, writing, and common arithmetic, including the rule of three. The money which the master is to pay for any year except the last, must at the end of the year for which it is payable, be paid to the father or mother, or part to each as the court may direct, or it may be reserved to be paid to the apprentice at the end of the term with interest. The money which the master is to pay for the last year must be paid at the end thereof to the apprentice.

It is unlawful for any person to entice, take, or carry away an apprentice, or knowingly to employ, conceal, or harbor an apprentice who has deserted the service of his master. No apprentice may be taken out of the county by the master without the leave of the county court. If a master takes an apprentice out of the county and remains more than one month, the apprentice ceases to be bound by the indenture.

Source: Code of 1888, sections 2581 to 2596.

WASHINGTON.

The county commissioners may bind out a minor likely to become chargeable to the county, either because of its being an orphan or because its parents or other relatives are unable or refuse to support it.

Source: Codes and Statutes of 1897, section 379.

WEST VIRGINIA.

A minor may be bound out by the father; if there be no father, by the guardian, or, if there is neither father nor guardian, by the mother. The consent, entered of record, of the county court of the county where the minor resides is necessary, unless the minor, being 14 years of age, gives his consent in writing. The clerk of a county may bind out any minor who is found begging therein or who is likely to become chargeable thereto. Male inmates of the reform school may be bound out by the directors of said school.

The term of apprenticeship must be until 21 years of age in the case of a boy and 18 years in the case of a girl.

Besides teaching the apprentice a trade the master is required to instruct him in reading, writing, and common arithmetic. The money which a master is to pay for any year except the last must, at the end of the year for which it is payable, be paid to the father, the mother, or part to each as the court may direct, or it may be reserved to be paid to the apprentice at the end of his term with interest. The money for the last year must be paid to the apprentice.

It is unlawful to conceal or harbor an apprentice who has deserted his master. The master is not permitted to take the apprentice out of the county without the leave of the county court, and if he does so without leave and keeps the apprentice out of the county for more than one month, the continuance of the apprenticeship is optional with the apprentice.

Source: Code of 1899, chapter 81, sections 1 to 14.

WISCONSIN.

A minor may bind himself out of his own free will with the consent of the father, or, if he is dead or not in legal capacity to give consent or shall have abandoned and neglected to provide for his family and such fact be certified by a justice of the peace of the town and indorsed on the indentures, then of the mother; if she is dead or not in a legal capacity to give consent, then of the guardian; if there are no parents living or none in legal capacity to give consent and no guardian, then of the supervisors or any two justices of the peace of the town where the minor resides. If a minor is illegitimate the consent of the mother is necessary whether its putative father is living or not. Minors who have become or are likely to become chargeable to any town may be bound out as apprentices by the supervisors. The managers of the industrial school for boys may bind out those committed to their care with the consent of their parents or guardians, if they have any.

An apprentice may be bound, if a male, until the age of 21 years, and if a female, until the age of 18 years, or until her marriage within that time, or for any shorter period.

The master must obligate himself, in the indenture, to provide for instructing the apprentice in some trade or profession, for teaching him to read and write, for instructing him in the general rules of arithmetic, and for such other instruction, benefit, and allowance as may be agreed upon. At the end of the term he must give the apprentice a new Bible. All considerations of money or other things paid or allowed by the master upon any indenture of apprenticeship must be paid or secured to the sole use of the minor.

It is unlawful to accept from an apprentice any contract or agreement, or to cause him to be bound by oath or otherwise that, after his term of service has expired, he shall not set up his trade, profession, or employment in any particular place, or to exact from an apprentice, after his term of service has expired, any money or other thing for using and exercising his trade, profession, or employment in any place. No indenture is binding upon the minor after the death of the master.

Source: Annotated Statutes of 1898, sections 1511, 2377 to 2394, 4961, 4964.

UNITED STATES.

A Federal act passed January 12, 1895, authorizes the Public Printer to employ such number of apprentices, not to exceed 25 at any one time, as in his judgment is consistent with the economical service of the office.

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UNITED STATES BUREAU OF EDUCATION
BULLETIN, 1908: NO. 7 - - - - - - WHOLE NUMBER 396

STATE SCHOOL SYSTEMS: II

LEGISLATION AND JUDICIAL DECISIONS RELATING TO PUBLIC EDUCATION, OCTOBER 1, 1906, TO OCTOBER 1, 1908

By EDWARD C. ELLIOTT
PROFESSOR OF EDUCATION IN
THE UNIVERSITY OF WISCONSIN

WASHINGTON
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1909

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SPECIAL NOTE.

The citations and digests of the legal decisions relating to public education contained in this number of the Bulletin have been derived, excepting as otherwise indicated, from the American Digest, and the National Reporter System, published by the West Publishing Company, of St. Paul, Minn., and copyrighted by that company, which retains and reserves its exclusive rights to such matter. Citations and digests from the following publications are specifically copyrighted:

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LETTER OF TRANSMITTAL.

Department of the Interior,
Bureau of Education,
Washington, November 10, 1908.

Sir: I have the honor to transmit herewith a manuscript entitled "State School Systems: Legislation and Judicial Decisions relating to Public Education, October 1, 1906, to October 1, 1908," which has been prepared by Prof. Edward C. Elliott, of the University of Wisconsin, and to recommend its publication in the Bulletin of the Bureau of Education.

Two years ago Professor Elliott prepared a similar digest, covering the two-year period from October 1, 1904, to October 1, 1906. This was intended particularly for the use of state education offices and the education committees of the state legislatures then about to convene. Abundant evidence has been received of the usefulness of that publication to the officials for whose use it was primarily intended, and also to many other persons engaged in the comparative study of educational legislation and administration. The digest herewith presented has been prepared in a more leisurely and thorough manner than was possible in the case of the earlier publication, and will, it is believed, be found still more serviceable in many directions. The object chiefly in view in offering it for publication is the same as that set forth above in the case of the legislative number of the Bulletin of 1906. It is believed that it will answer numerous inquiries which are likely to arise in the course of legislative procedure affecting education in the several States, and that in this way it will contribute in no small measure to the end proposed for the Bureau of Education in the act of March 2, 1867, establishing this office, that of "diffusing such information respecting the organization and management of schools and school systems * * * as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country."

Very respectfully,

Elmer Ellsworth Brown,
Commissioner.

The Secretary of the Interior.

PREFATORY NOTE.

The following work, relating to current educational legislation and judicial decisions in the United States as generally affecting the organization and administration of the state school systems, was undertaken at the instance of the Commissioner of Education of the United States, Dr. Elmer Ellsworth Brown. It is in continuation of the plan inaugurated two years ago, which resulted in a similar publication covering the period 1904–1906 (Bulletin, 1906: No. 3). The very evident wide usefulness of that publication, together with its cordial reception by those for whom it was intended, seem to justify its successor at this time.

The work of preparation of the present number has been carried forward principally in the Wisconsin state library and the law library of the University of Wisconsin, at Madison. To the members of the staff of each of these libraries I am indebted in the largest measure for their continued and courteous assistance in placing the necessary facilities at my disposal. In this connection I desire especially to mention Mr. Gilson G. Glazier, librarian, and Mr. William H. Orvis, assistant librarian, of the state library. Dr. Charles McCarthy, librarian of the Wisconsin legislative reference library, has by his advice and continued helpfulness furthered in numerous ways the progress of my task. Mr. W. L. Bailey and Miss Elizabeth McKee, of the University of Wisconsin, have rendered much timely and valuable aid in the correction of the manuscript and proof.

The conditions under which this work was undertaken would have made impossible the incorporation of those portions dealing with judicial decisions relating to education had not Mr. H. E. Randall, editor-in-chief of the West Publishing Company, generously granted permission to make use of invaluable copyrighted material.

With but one or two exceptions the various state superintendents of public instruction, or the corresponding state educational officers, have responded to a request for information regarding the character and importance of the legislation enacted in their several States during the period under consideration. The assistance of these officers has added much to the value and quality of the results I have attempted to set forth, and I take this opportunity of expressing my appreciation of such assistance.

Throughout, the spirit of hearty cooperation, characteristic of the attitude of all those upon whom I have had to depend, and especially so of the various members of the staff of the Bureau of Education, has contributed to make my work far less arduous and far more profitable than it otherwise would have been.

In spite of the care in preparation, a piece of work of this kind contains possibly some minor errors. For these, and perhaps larger ones, I alone am responsible.

Edward C. Elliott.

The University of Wisconsin,
November 1, 1908.

STATE SCHOOL SYSTEMS: LEGISLATION AND JUDICIAL DECISIONS RELATING TO PUBLIC EDUCATION, OCTOBER 1, 1906, TO OCTOBER 1, 1908.

GENERAL EXPLANATIONS.

Scope and plan.—In the following pages an attempt has been made to classify and to analyze the changes wrought in the public school systems of the various States and Territories by the legislative measures enacted during the past two years, October 1, 1906, to October 1, 1908. Supplementary to this legislative material, there are also included digests of or citations to those decisions of the state supreme courts containing important interpretations of statutes relating to public education, or defining in a significant way the status of the public schools.

Legislative sessions are biennial in all the States and Territories except in Georgia, Massachusetts, New Jersey, New York, Rhode Island, and South Carolina, where they are annual, and in Alabama, where they are quadrennial. Consequently, the period selected includes the enactments of one session of the legislature in most of the States and all of the Territories, and of two sessions in the case of the States holding annual sessions.[a] In addition, the acts of extra legislative sessions held in several of the States have been examined for measures relative to the public school system.

The following table displays the time of meeting of those legislatures the enactments of which have been presented:

Table of legislative sessions, October 1, 1906, to October 1, 1908.

Alabama	Jan.	8, 1907,	to Mar.	6, 1907
Alabama (adjourned)	July	12, 1907,	to Aug.	12, 1907
Arizona	Jan.	21, 1907,	to Mar.	21, 1907
Arkansas	Jan.	14, 1907,	to May	14, 1907
California	Jan.	7, 1907,	to Mar.	12, 1907
Colorado	Jan.	2, 1907,	to Apr.	1, 1907
Connecticut	Jan.	9, 1907,	to Aug.	1, 1907
Delaware	Jan.	1, 1907,	to Mar.	25, 1907

[a] The acts of the 1908 session of the legislature of Georgia have been excluded, owing to the delay in printing. The acts of the 1906 session, excluded on this account from the bulletin issued in 1906, have been included here.

Florida	Apr.	2, 1907, to May	31, 1907
Georgia	June	27, 1906, to Aug.	16, 1906
	June	26, 1907, to Aug.	17, 1907
	June	24, 1908, to Aug.	13, 1908
Idaho	Jan.	7, 1907, to Mar.	8, 1907
Illinois	Jan.	9, 1907, to May	16, 1907
Indiana	Jan.	10, 1907, to Mar.	11, 1907
Indiana (extra)	Sept.	18, 1908, to Sept.	30, 1908
Iowa	Jan.	14, 1907, to Apr.	9, 1907
Kansas	Jan.	8, 1907, to Mar.	14, 1907
Kansas (extra)	Jan.	16, 1908, to Feb.	4, 1908
Kentucky	Jan.	7, 1908, to Mar.	17, 1908
Louisiana (extra)	Nov.	11, 1907, to Dec.	5, 1907
Louisiana	May	11, 1908, to July	9, 1908
Maine	Jan.	2, 1907, to Mar.	28, 1907
Maryland	Jan.	1, 1908, to Apr.	9, 1908
Massachusetts	Jan.	2, 1907, to June	28, 1907
	Jan.	1, 1908, to June	13, 1908
Michigan	Jan.	2, 1907, to June	29, 1907
Minnesota	Jan.	8, 1907, to Apr.	24, 1907
Mississippi	Jan.	7, 1908, to Apr.	21, 1908
Missouri	Jan.	2, 1907, to Mar.	16, 1907
Missouri (extra)	Apr.	9, 1907, to May	13, 1907
Montana	Jan.	7, 1907, to Mar.	7, 1907
Nebraska	Jan.	1, 1907, to Apr.	4, 1907
Nevada	Jan.	21, 1907, to Mar.	21, 1907
New Hampshire	Jan.	2, 1907, to Apr.	5, 1907
New Jersey	Jan.	8, 1907, to Apr.	13, 1907
New Jersey (extra)	June	18, 1907, to Oct.	12, 1907
New Jersey	Jan.	14, 1908, to Apr.	14, 1908
New Mexico	Jan.	21, 1907, to Mar.	21, 1907
New York	Jan.	2, 1907, to June	26, 1907
New York (extra)	July	8, 1907, to July	26, 1907
New York	Jan.	1, 1908, to Apr.	23, 1908
New York (extra)	May	11, 1908, to June	11, 1908
North Carolina	Jan.	9, 1907, to Mar.	11, 1907
North Carolina (extra)	Jan.	21, 1908, to Feb.	3, 1908
North Dakota	Jan.	8, 1907, to Mar.	8, 1907
Ohio	Jan.	6, 1908, to May	11, 1908
Oklahoma	Dec.	2, 1907, to May	26, 1908
Oregon	Jan.	14, 1907, to Feb.	23, 1907
Pennsylvania	Jan.	1, 1907, to May	16, 1907
Rhode Island	Jan.	1, 1907, to Apr.	23, 1907
	Jan.	7, 1908, to May	26, 1908
South Carolina	Jan.	8, 1907, to Feb.	16, 1907
	Jan.	14, 1908, to Mar.	7, 1908
South Dakota	Jan.	8, 1907, to Mar.	8, 1907
Tennessee	Jan.	5, 1907, to Apr.	16, 1907
Texas	Jan.	8, 1907, to Apr.	12, 1907
	Apr.	12, 1907, to May	11, 1907
Utah	Jan.	14, 1907, to Mar.	14, 1907
Vermont	Oct.	3, 1906, to Dec.	20, 1906
Virginia	Jan.	8, 1908, to Mar.	27, 1908

Washington	Jan.	14, 1907, to Mar.	14, 1907
West Virginia	Jan.	9, 1907, to Feb.	22, 1907
	Feb.	23, 1907, to Mar.	5, 1907
West Virginia (extra)	Jan.	28, 1908, to Mar.	3, 1908
Wisconsin	Jan.	9, 1907, to July	16, 1907
Wyoming	Jan.	8, 1907, to Feb.	16, 1907

To accomplish the purposes for which the bulletin is immediately intended in as direct and brief a manner as possible, legislative enactments of the following specific character pertaining to state school systems have been included:

(1) All general permanent laws, whether new enactments or amendments to general permanent laws already in force.

(2) Constitutional amendments, adopted or proposed, whether general or local in their effect.

(3) Laws resulting in significant changes in the organization and administration of public education in the larger and more important cities of each State,[a] even when general in form and special in application; provisions of new municipal charters, and amendments to existing charters.

(4) Laws authorizing special appropriation for the establishment of a new educational institution or class of institutions, and extraordinary appropriations of wide general interest.

(5) Laws relating to the general administration, control, and management of particular state educational institutions.[b]

The following classes of legislation have been excluded from consideration:

(1) Laws providing for general appropriations.

(2) Special acts relating to particular individuals or minor localities.

(3) Special and temporary acts, unless of more than local or transitory concern.[c]

(4) Federal and local legislation relating to education in the District of Columbia, Alaska, Hawaii, Porto Rico, Philippine Islands, and other insular possessions.[d]

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[a] Such laws are, however, with few exceptions, merely classified and digested in the briefest possible manner. They have been reserved for complete analysis and treatment in a separate bulletin dealing with city school systems, which is in preparation and to be issued later.

[b] Legislative measures relating to certain classes of reformatory, charitable, and quasi educational institutions have generally been omitted; for complete explanation see footnote under section T, "Education of defectives."

[c] For instance, the appointment of the commission on industrial education in New Jersey (see enactment No. 1284); or the appointment of the Collinwood School fire relief commission in Ohio (see enactment No. 37); or the joint resolution of the Wisconsin legislature (enactment No. 55) concerning a national system of education are included.

[d] The legislation relating to education enacted by the 59th Congress (1905–7) was summarized in the Report of the Commissioner of Education for 1906, vol. 2, pp. 1229–55; that by the 1st session of the 60th Congress (beginning Dec. 2, 1907) in the Report for 1908, vol. 1, pp. 109–120.

In addition to the legislation above noted, digests of and citations to recent decisions of the highest state courts of the following general character have been likewise included:

(1) Those relative to the constitutionality of important statutes concerning public education.

(2) Those presenting special interpretations of measures enacted during the biennium 1906–1908.

(3) Those touching upon interests and principles of direct and vital importance to our social policy in public education.[a]

Method of presentation.—With respect to the legislative material, the aim has been to present in a concise and serviceable manner the meaning and contents of each particular enactment, classified in accordance with the writer's best judgment. As a general thing but one entry has been made for each of those laws treating of but one particular topic or title. Frequently, where an enactment possesses a relation to two subjects, according to the scheme of classification, a method of cross reference has been resorted to. Thus, for example, enactment No. 133 (Kentucky) contains several important items. In order to classify properly, several cross references are given. (See enactments Nos. 19 and 1239.)

In a number of cases wherein a single law treats of a number of diverse subjects or titles, or wherein the amendments to the educational code are grouped together in a single act or chapter, an effort has been made to distribute the particular portions of such measures so that the alterations produced in different directions would be evident. Such distribution has been indicated in an appropriate manner, either by indicating a particular section of an individual chapter or act, or otherwise.

Each law or separate title has been treated in one of three ways:

(1) Unimportant new laws and amendments have been indicated as briefly as possible by title or otherwise. Where the title of the law presents its import in a clear and concise manner it has been used, sometimes by quotation and sometimes by such modifications of the wording as would convey its significance in the best possible manner.

(2) Frequently, and especially in the case of amendments to existing statutes, besides reference to the particular subject, more or less explanatory matter has been added to bring out the exact change produced.

(3) With important and far-reaching measures, in addition to the title and digest of the subject-matter of the enactment, either the whole or the most significant portion has been printed.

[a] As, for example, the decision of the United States Supreme Court upholding the constitutionality of the Massachusetts act requiring street-railway companies to carry school children for half fare. The text of this decision is given at the end of this bulletin.

With respect to the judicial decisions, the method of simple citation has been employed in the case of those of minor importance. Generally, however, a brief digest of pertinent points has been included. In a few instances a complete syllabus of the decision has been presented. Appended to the main body of classified legislative and judicial material, there has been included the complete text of a number of recent court decisions, which are thought to be of more than passing interest to those engaged in the work of administration of public education.

Still further, by way of evaluation of the importance of laws and decisions in the respective States, use has been made of the information furnished by the various state superintendents and educational officers. Laws and decisions which they have regarded as of the first importance in the development and progress of the state's educational activities and system have been indicated by an asterisk (*).

Method of classification and arrangement.—In order to facilitate presentation and to render this bulletin of ready service for reference, the whole mass of the special class of educational legislation, together with the digests of and citations to related judicial decisions, has been carefully classified according to what seems to be a logical and consistent scheme. At the same time, throughout, the effort has been to avoid such complexity of classification as would tend to defeat its purpose. Under each of the headings indicated has been placed all of the matter properly belonging thereto, arranged alphabetically by States. In addition, the enactments and decisions have been numbered consecutively, thereby contributing to ease and readiness in discovering matter of a particular type. Citations to and digests of judicial decisions have been distinguished from legislative enactments by prefixing a capital " D " before the reference number. The index at the close of the bulletin further insures the discovery of legislation bearing upon any single topic.

Typography.—In the case of each legislative item, the title of the measure, whether given verbatim or in modified form, is printed in the smaller type (8 point), leaded. Comments following the title of the measure, or a brief summary of its provisions are printed in the same type without leads. Direct quotations from the text of the measure are printed in 8-point type without leads, and are inclosed within quotation points.

The material taken from judicial decisions has been treated in the same general way.

The reviews found in connection with each classified group of legislation and decisions have been printed in the larger (10-point) type, leaded.

PLAN OF CLASSIFICATION.[a]

A. General Administrative Control and Supervision of Elementary and Secondary Education.
- *a.* General.
- *b.* State boards and officers.
- *c.* County boards and officers.
- *d.* District, township, and municipal boards and officers.
- *e.* School meetings; elections; qualifications for voters.
- *f.* Administrative units: Districts, townships, municipalities, etc.; formation; division; consolidation.

B. State Finance and Support.
- *a.* General.
- *b.* State school lands.
- *c.* Permanent state school funds: Composition and investment.
- *d.* State taxation for school purposes.
- *e.* General apportionment of state school funds; special state aid for elementary education.
- *f.* Special state aid for secondary education.

C. Local (County, District, Municipal) Finance and Support.
- *a.* General.
- *b.* Local (county, district, municipal) finance and support; bonds and indebtedness.
- *c.* Local (county, district, municipal) taxation for school purposes.

D. Buildings and Sites.
- *a.* General.
- *b.* Buildings and sites: State aid; approval of plans.
- *c.* Buildings and sites: Decoration; care; sanitation; inspection.
- *d.* Buildings and sites: Prohibition districts.
- *e.* U. S. flag in schools.

E. Teachers in Elementary and Secondary Schools.
- *a.* Teachers: Qualifications; general.
- *b.* Teachers' examinations and certificates: General.
- *c.* Teachers' examinations and certificates: Special.
- *d.* Teachers' certificates; validity; indorsement; registration; revocation.
- *e.* Teachers' certificates; recognition of normal school, and college or university diplomas.
- *f.* Teachers' associations.

F. Teachers: Employment; Contract; Appointment; Dismissal.
- *a.* General.
- *b.* Teachers' salaries.
- *c.* Teachers' pensions.

G. Teachers: Professional Training and Education.
- *a.* University departments and schools of education.
- *b.* State normal schools.
- *c.* County and local normal and training schools.
- *d.* Teachers' institutes and summer schools.

[a] This plan of classification is, with the addition of one or two minor subdivisions, identical with that followed in the previous legislative bulletin (Bulletin, 1906: No. 3). The advantages for comparative purposes are obvious.

H. School Population and Attendance.
- *a*. General.
- *b*. School census.
- *c*. School year; month; day.
- *d*. School holidays.
- *e*. Place of attendance; transportation of pupils; consolidation of schools.
- *f*. Compulsory attendance; child labor; truancy.

I. School Discipline.
- *a*. General.
- *b*. Corporal punishment.
- *c*. Suspension and expulsion.
- *d*. Fire drills.

J. Health Regulations.
- *a*. General.
- *b*. Physical examination and medical inspection.

K. Text-Books and Supplies.
- *a*. General.
- *b*. Free text-books.
- *c*. Uniformity of text-books.

L. Subject-Matter of Instruction.
- *a*. General.
- *b*. History, civics, and patriotism.
- *c*. Physical education.
- *d*. Physiology; hygiene; alcohol; narcotics.
- *e*. Moral and ethical education.
- *f*. Humane treatment of animals.
- *g*. Music.
- *h*. Drawing.
- *i*. Technical, manual, and industrial education.
- *j*. Days of special observances.
- *k*. Other special subjects.

M. Special Types of School.
- *a*. General.
- *b*. Kindergartens.
- *c*. Evening schools.
- *d*. Vacation schools and playgrounds.
- *e*. University extension; public lectures.
- *f*. Farmers' institutes, etc.
- *g*. Private and endowed schools.

N. Secondary Education: High Schools and Academies.

O. Technical and Industrial: Elementary and Secondary.

P. Higher Educational Institutions.
- *a*. General.
- *b*. Finance; lands; support.
- *c*. State universities and colleges.

Q. Professional and Higher Technical Education.
- *a*. Teachers' colleges and normal schools.
- *b*. Agricultural colleges.
- *c*. United States grant.
- *d*. Mining schools.
- *e*. Military schools.
- *f*. Miscellaneous technical.

R. Private and Endowed Higher Institutions: State Control.

S. Libraries.
  a. Public-school libraries.

T. Education of Defectives.
  a. General.
  b. Deaf and dumb.
  c. Blind.
  d. Crippled and deformed.
  e. Feeble-minded.

U. Education of Dependents and Delinquents.
  a. General.
  b. Truant and detention schools.

Method of citation.—At the end of each legislative entry will be found the proper citation to the section: chapter, number of act, or page (in the case of those States whose session laws are not numbered consecutively); year, day, and month of approval or passage. In a number of instances where enactments became operative at some date after passage or approval, the date of operation follows in parentheses the date of passage or approval.

In the case of digests of and citations to judicial decisions the usual method of reference to reports has been employed.[a]

An especial effort has been made to avoid arbitrary and technical abbreviations in making citations. Consequently, but few have been used and these only the most common and easily recognized ones. It is thought that the resulting absence of ambiguity and confusion for the lay and nontechnical reader more than compensates for the slight increase in the volume of matter presented.

Reviews of legislation.—An effort has been made to characterize briefly and to indicate the significant features of the legislation included under each of the principal and important subjects as indicated by the plan of classification. These reviews and decisions (printed in large type) will be found immediately preceding the classified list of enactments of each section.

BIBLIOGRAPHY OF RECENT EDUCATIONAL LEGISLATION.

The following titles relate to recent publications which have a bearing upon some of the subjects with which this number of the bulletin deals:

SCHOOL LAW.

Allen, Charles R. Educational progress for 1907. School review, 16: 296–319, May, 1908.

Thompson, William Oxley. A review of certain features of the year in school administration. Ohio educational monthly, 57: 392–398, September, 1908.

Résumé of legislation, revision of courses of study, new academic degrees.

[a] See p. 2 for note concerning use of copyrighted material.

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LEGISLATION AND JUDICIAL DECISIONS RELATING TO PUBLIC EDUCATION.

[Enactments which have been reported by the chief officers of the several state educational systems as of the first importance in the development of those systems are indicated by an asterisk (*).]

A. ADMINISTRATIVE CONTROL AND SUPERVISION OF ELEMENTARY AND SECONDARY EDUCATION.

(a) General.[a]

Of the legislation relating to the general administrative control and supervision of public education, the several enactments creating special commissions: Illinois (12), Iowa (14), Kentucky (20), North Dakota (35), Pennsylvania (47), Tennessee (50), Virginia (52), and Washington (53), for the purpose of revising the laws pertaining to the public-school systems, or proposing plans of reorganization to succeeding legislatures, are especially worthy of note. The spirit of this movement for a better adaptation of the educational organization to modern needs is well indicated by the duties assigned to the Illinois commission—"to make a thorough investigation of the common-school system of Illinois, and the laws under which it is organized and operated; to make a comparative study of such other school systems as may seem advisable and to submit to the forty-sixth general assembly a report, including such suggestions, recommendations, revisions, additions, corrections, and amendments as the commission shall deem necessary." In this connection, also, the general revision of the educational code effected in Nevada (79), New Mexico (32), West Virginia (54), and South Dakota (100), may be mentioned.

The recently adopted constitution of Oklahoma (42), and the proposed new constitution for Michigan (27), contain evidence of the modern progressive educational sentiment. The resolution in Wisconsin (55), requesting Congress to bring about an amendment to

[a] Several States, among others Mississippi and Vermont, compiled and adopted a revised code of general laws during the biennium. These new codes contain numerous changes in the school laws, which, however, have not been included in this analysis of legislation. In several instances, notably Maryland, the complete volume of session laws for 1908 has not been available for the purposes of this publication. In such instances, whatever legislative material has been included has been derived from incidental sources of information, and consequently omissions of probably important material have been unavoidable.

the Federal Constitution providing for an harmonious system of education throughout the country, is concrete evidence of what seems to be a growing popular feeling that the scope of the educational activity of the Federal Government should be greatly extended. The proposal in Wisconsin (57) to raise the lower limit of school age from four years to six years, has provoked considerable discussion by reason of a possible interference with the conduct of kindergartens as a part of the public-school system. The somewhat comprehensive Oklahoma (43) measure, providing against nepotism in educational affairs, is not without significance. The creation of the "Collinwood fire commission" in Ohio (37) is a reminder of the extraordinary responsibility that public-school officials must assume, in order properly to discharge their duties and fully to safeguard the lives of public-school children.

Of the supreme court decisions classified in this section those of Arkansas (3), New York (34), and Ohio (41), relative to the vaccination of school children; those of Kansas (7), (18), Kentucky (21), and Oklahoma (45), relative to separate schools for white and colored children, and that of Montana (28), relative to county high schools, seem to possess more than passing interest.

1. **Alabama**: Directing an examination to be made of the affairs of the Tuskegee Normal and Industrial Institute. Report to be made to legislature.
H. Jt. Res. No. 21, p. 75, Jan. 28, 1907.

D 2. **Alabama** (1906): Laws, 1903, p. 290, relating to the redistricting of public schools, is a restatement of the entire law on the subject, and in regard to the management and control of the same, and was intended to set up a new system, so that whatever power any school officer may have on these subjects must be derived from the act.—Gibson *v.* Mabrey, 40 So., 297.

D 3. **Arkansas** (1907): A rule of a school board of a city, providing that pupils before admission to the schools shall be vaccinated, adopted to prevent the spread of smallpox, and pursuant to the orders of the board of health of the city and advice of physicians is not an unreasonable regulation, and will not be set aside by the courts.—Auten *v.* Board of Directors of Special School Dist. of Little Rock, 104 S. W., 130.

4. **California**: Proposing amendment to sec. 6, art. 9, constitution, 1879, as amended Nov. 4, 1902, relative to the public-school system.

Defining status of evening, elementary, and secondary schools as parts of the public-school system.—Adopted, November, 1908.
Jt. Res., chap. 21, p. 1275, Mar. 6, 1907.

D 5. **California** (1905): General laws regulating public schools control, conflicting provisions of city charters.—McKenzie *v.* Board of Education of City and County of San Francisco, 82 P., 392.

The charter of a city and the general law should be construed together by the court, and made to harmonize, so as to give effect to each, if possible.—McKenzie *v.* Board of Education of City and County of San Francisco, 82 P., 392.

D 6. **Colorado** (1904): The decisions of the state board of education which Mills' Ann. St., sec. 3966, conferring on it power to decide questions of law and fact, provides shall be final, are not final in the sense that they are not reviewable by the courts; otherwise the statute would violate constitution, art. 6, sec. 1, vesting the judicial power in the courts there enumerated.—People *v.* Vanhorn, 77 P., 978.

7. **Connecticut:** Authorizing secretary of state board of education to compile and cause to be printed for distribution 2,500 copies of the laws relating to education.

Special acts No. 20, Mar. 14, 1907.

8. **Connecticut:** Continuing the joint standing committee on education with instructions to inquire into the conditions and progress of common-school education.

S. Jt. Res. No. 887 (No. 465, special acts), July 31, 1907.

9. **Delaware:** Authorizing the secretary of state to have printed for distribution, 1,000 copies of the school laws.

Jt. Res. chap. 270, Mar. 9, 1907.

D 10. **Florida** (1905): Laws 1905, chap. 5384, establishing the state board of control, is not in conflict with constitution, art. 12, sec. 3, providing that the state board of education shall have supervision of schools of higher grades. State *v.* Bryan, 30 So., 929.

Laws 1905, chap. 5384, is not a revision of all the statutes of the State on the subject of the various colleges and schools of the State above the grade of common free schools, but is an independent act covering a general and comprehensive subject.—State *v.* Bryan, 39 So., 929.

D 11. **Georgia** (1907): An act approved Aug. 23, 1905 (acts, 1905, p. 425), as amended by act Aug. 21, 1906 (acts, 1906, p. 61), known as the "McMichael School Law," is not subject to the objection that it violates the constitution or civ. code 1895, sec. 5779, declaring that no law or section of the code shall be repealed or amended unless the act making such amendment or affecting such repeal distinctly describes the act to be amended or repealed; this provision of the constitution having no application to repeals by implication.—Edalgo *v.* Southern Ry. Co., 58 S. E., 846.

12*. **Illinois:** Creating an educational commission, defining its powers and duties, and making an appropriation therefor.

Authorizing governor to nominate, and by and with advice of senate, appoint six persons representing the various phases of educational work within the State, who, together with the superintendent of public instruction, shall constitute a commission to investigate the common-school system of the State and compare it with other systems. Defining powers and duties and making appropriation.

H. B. 742, p. 24, May 25, 1907.

D 13. **Indiana** (1907)[a]: The establishment and regulation of public schools rests primarily with the legislative department.—Stone *v.* Fritts, 82 N. E., 792.

14*. **Iowa:** [b] Creating a commission to examine, review, and codify the laws relating to public schools.

Providing for the organization, expenses, powers, and compensation of commission. Report to be made on or before Nov. 1, 1908.

Chap. 222, Apr. 13, 1907.

D 15. **Iowa** (1905): Acts twenty-seventh general assembly, p. 48, chap. 84, is entitled "An act to amend secs. 2728, 2730, 2731, and 2732, and repeal sec. 2733 of the code, and enact a substitute therefor in relation to county schools," and sec. 4 of the statute provides that, should there be more applicants for admission to a county high school from any school corporation than the corporation's proportionate number of pupils the school corporation from which they attend shall pay their tuition out of its contingent fund. *Held*, that the statute is not invalid on the ground that the legislature had no power to compel a school corporation to pay for the education of pupils attending the high school without the corporation's consent.—Boggs *v.* School Tp. of Cass, Guthrie County, 102 N. W., 796.

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[a] The complete text of decision is given in the closing division of this bulletin.

[b] Through the courtesy of the chairman, Prof. Frederick E. Bolton, of the University of Iowa, I have had an opportunity of reading the manuscript of the report of this commission. It is in the form of a carefully drawn bill, which introduces a number of far-reaching changes in the educational organization of that State.

D 16. **Iowa** (1906): Under code, secs. 2743, 2745, 2772, conferring on school boards discretion to adopt and promulgate rules for the proper government of schools, a rule so adopted will not be interfered with by the courts, unless it is so far unreasonable as to amount to an abuse of discretion.—Kinzer *v.* Directors of Independent School Dist. of Marion, 105 N. W., 686.

Whether a rule adopted by a school board, for the violation of which a pupil was expelled, was reasonably within the jurisdiction of the board conferred by code, secs. 2772, 2782, authorizing the board to make rules and regulations for the government of schools and to expel students for a violation of regulations, etc., was a question which was reviewable by the courts and as to which the party aggrieved was not limited to an appeal to the county superintendent.—*Ibid.*

The remedy for review of proceedings of a school board, either as to law or fact, with reference to a subject within the board's jurisdiction and as to which it is vested with a discretion, is by appeal to the county superintendent of schools, provided for by code, sec. 2818.—*Ibid.*

D 17. **Kansas** (1906): In the absence of a statute granting such power, a board of education of a city of the second class has no right to establish separate schools for white and colored children, and has no right to exclude a colored pupil from any public school on the ground alone that such pupil is colored.—Cartwright *v.* Board of Education of City of Coffeyville, 84 P., 382.

D 18. **Kansas** (1907): Laws, 1889, p. 329, chap. 227, is a special act providing for the government of the public schools of the city of Wichita, a city of the first class. *Held* to render all other provisions of the statutes relating to the public schools inapplicable to the public schools of Wichita, and, as it has not been amended or repealed, does not authorize the maintenance of separate schools for the education of white and colored children.—Rowles *v.* Board of Education of City of Wichita, 91 P., 88.

In the absence of statutory authority the board of education of the city of Wichita has no right to exclude a child by reason of its color from any public school of the city.—*Ibid.*

19. **Kentucky:** *See enactment No. 133.*

20*. **Kentucky:** Creating an educational commission, defining its powers and duties, and providing for its expenses.

"SEC. 2. Said commission shall consist of the governor, the superintendent of public instruction, one member of the senate to be chosen by the senate, upon the passage and approval of this act, one member of the house of representatives to be chosen by the house of representatives upon the passage and approval of this act, one woman to be chosen by the Kentucky Federation of Women's Clubs, the president of the State University, the president of the Eastern State Normal School, the president of the Western State Normal School, one representative of the colleges of Kentucky, one superintendent of city schools and one superintendent of county schools. The three members last named shall be appointed by the governor upon the passage and approval of this act. The superintendent of public instruction shall ex officio be chairman of the commission. All vacancies that may occur by resignation or otherwise shall be filled by the governor."

"SEC. 4. It shall be the duty of the educational commission to make a thorough investigation of the whole school system and all the educational interests of Kentucky and the laws under which the same are organized and operated; to make a comparative study of such other school systems as may seem advisable and to submit to the next general assembly a report embracing such suggestions, recommendations, revisions, additions, corrections, and amendments as the commission shall deem necessary."

Chap. 65, Mar. 17, 1908.

D 21. **Kentucky** (1906) : Act March 22, 1904, p. 181, chap. 85, prohibiting maintenance of institution of learning for white and negro races, *held* within police power, and valid.—Berea College *v.* Commonwealth (94 S. W.), 623.

Act March 22, 1904, p. 181, chap. 85, prohibiting branches of institution of learning within 25 miles of each other for white and colored persons, held not within police power.—*Ibid.*

Act March 22, 1904, p. 181, chap. 85, prohibiting maintenance of institutions of learning for both white and colored persons, *held* not a deprivation of equal protection of law, or of due process of law.—*Ibid.*

The right to teach white and negro children in a private school at the same time and place is not a property right.—*Ibid.*

The Supreme Court of the United States, in the case of Berea College *v.* The Commonwealth of Kentucky, in error to the court of appeals of the State of Kentucky, gave judgment as follows (1908) : "The act of 1904 forbids 'any person, corporation, or association of persons to maintain or operate any college,' etc. Such a statute may conflict with the Federal Constitution in denying to individuals powers which they may rightfully exercise, and yet, at the same time, be valid as to a corporation created by the State.

"It may be said that the court of appeals sustained the validity of this section of the statute, both against individuals and corporations. It ruled that the legislation was within the power of the State, and that the State might rightfully thus restrain all individuals, corporations, and associations. * * *

"The statute is clearly separable and may be valid as to one class while invalid as to another. Even if it were conceded that its assertion of power over individuals can not be sustained, still it must be upheld so far as it restrains corporations. * * *

"We need concern ourselves only with the inquiry whether the first section can be upheld as coming within the power of a State over its own corporate creatures. We are of opinion * * * that it does come within that power, and on this ground the judgment of the court of appeals of Kentucky is affirmed."—89 U. S., Ct. Rep., 33.

D 22. **Kentucky** (1907) ; The determination of the cases of extreme emergency within Ky. St. 1903, sec. 4428, providing that no school district established shall include less than 45 pupil children, except in cases of extreme emergency, is confided, in the first instance to the county superintendent, who acts judicially, and, in case he errs, an appeal may be prosecuted to the superintendent of public instruction, and, when these officials have determined that an extreme emergency exists, the courts can not interfere unless the power to act did not exist for want of notice required by sec. 4472, or unless the power was manifestly abused.—Gividen *v.* Trustees of Common School Dist. No. 54, 102 S. W., 1191; 31 Ky. Law Rep., 633.

23. **Louisiana**: Preventing school officials and public school teachers from acting as agents for or receiving gifts, rebates, commissions, or fees from individuals or companies that manufacture, handle, or sell any kind of school books, school supplies, school furniture, or school building material, and providing penalties for same.

Act No. 287, July 9, 1908.

24. **Massachusetts**: Providing for the printing of 1,200 additional copies of the report of the commission on industrial education.

Resolves, chap. 75, May 3, 1907.

25. **Massachusetts**: Amending sec. 173, chap. 102, Revised Laws, 1902, as amended by sec. 5, chap. 460, acts, 1904, relative to licenses and municipal regulations of exhibitions, shows, and amusements.

Adding clause exempting entertainments given in public school buildings by and for the benefit of the pupils and under the supervision of the school authorities from the requirement for license.

Chap. 309, Apr. 18, 1907.

D 26. **Massachusetts** (1906): Where a school committee determined to close a school because of lack of pupils, it would be presumed, in the absence of evidence to the contrary, that the committee acted in good faith, and that their judgment was correct.—Morse *v.* Ashley (79 N. E.), 481.

27. **Michigan:** Provision concerning education in proposed new constitution (Adopted, November 3, 1908):

ARTICLE XI.

EDUCATION.

"SECTION 1. Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

"The above preamble is a quotation from the Ordinance of 1787. It is deemed a fitting introduction to this article."

"SEC. 2. A superintendent of public instruction shall be elected at the regular election to be held on the first Monday in April, nineteen hundred nine, and every second year thereafter. He shall hold office for a period of two years from the first day of July following his election and until his successor is elected and qualified. He shall have general supervision of public instruction in the state. He shall be a member and secretary of the state board of education. He shall be ex-officio a member of all other boards having control of public instruction in any state institution, with the right to speak but not to vote. His duties and compensation shall be prescribed by law."

"This section takes the place of sec. 1, art. XIII of the present constitution, and includes certain provisions of sec. 1, art. VIII, and sec. 1, art. IX. The propositions to make the office of superintendent of public instruction elective at the April election, to make him a member of the state board of education and other educational boards are not found in the existing constitution. The first change is designed to place his selection on the same basis as the selection of regents and judges, and the second is a recognition of certain present statutory provisions."

"SEC. 3. There shall be a board of regents of the university, consisting of eight members, who shall hold the office for eight years. There shall be elected at each regular biennial spring election two members of such board. When a vacancy shall occur in the office of regent it shall be filled by appointment of the governor."

"No change is made from sec. 6, art. XIII of the present constitution, except to improve the phraseology and to eliminate obsolete matter."

"SEC. 4. The regents of the university and their successors in office shall continue to constitute the body corporate known as 'The Regents of the University of Michigan.'"

"No change from sec. 7, art. XIII of the present constitution, except to improve the phraseology."

"SEC. 5. The regents of the university shall, as often as necessary, elect a president of the university. The president of the university and the superintendent of public instruction shall be ex-officio members of the board of regents, with the privilege of speaking but not of voting. The president shall preside at the meetings of the board and be the principal executive officer of the university. The board of regents shall have the general supervision of the university and the direction and control of all expenditures from the university funds."

"No change from sec. 8, Art. XIII of the present constitution except to improve the phraseology and make the superintendent of public instruction an ex-officio member of the board of regents with the power of speaking but not of voting. It was deemed desirable that the superintendent be given the same relation to the board of regents as he now occupies to the other educational boards of the state."

"SEC. 6. The state board of education shall consist of four members. On the first Monday in April, nineteen hundred nine, and at each succeeding biennial spring election, there shall be elected one member of such board who shall hold his office for six years from the first day of July following his election. The state board of education shall have general

supervision of the state normal college and the state normal schools, and the duties of said board shall be prescribed by law."

"No change from sec. 9, Art. XIII of the present constitution, except to provide for the election of members of said board at the spring election, and to improve the phraseology. Reference to the superintendent of public instruction is omitted, but by the provisions of section 2 of this article he is made one of the members of said board."

"SEC. 7. There shall be elected on the first Monday in April, nineteen hundred nine, a state board of agriculture to consist of six members, two of whom shall hold the office for two years, two for four years and two for six years. At every regular biennial spring election thereafter, there shall be elected two members whose term of office shall be six years. The members thus elected and their successors in office shall be a body corporate to be known as 'The State Board of Agriculture.'"

"This is a new section making the state board of agriculture a constitutional board, elected by the people, instead of a statutory board appointed by the governor as it has existed since 1861. The object of the change is to make it a non-partisan board as near as may be and secure its permanence."

"SEC. 8. The state board of agriculture shall, as often as necessary, elect a president of the agricultural college, who shall be ex-officio a member of the board with the privilege of speaking but not of voting. He shall preside at the meetings of the board and be the principal executive officer of the college. The board shall have the general supervision of the college and the direction and control of all agricultural college funds; and shall perform such other duties as may be prescribed by law."

"This is also a new section, supplementary to the preceding one. Its purpose is to define the organization, power and duties of the state board of agriculture."

"SEC. 9. The legislature shall continue a system of primary schools whereby every school district in the state shall provide for the education of its pupils without charge for tuition; and all instruction in such schools shall be conducted in the English language. If any school district shall neglect to maintain a school within its borders as prescribed by law for at least five months in each year, or to provide for the education of its pupils in another district or districts for an equal period, it shall be deprived for the ensuing year of its proportion of the primary school interest fund."

"This section covers secs. 4 and 5, Art. XIII of the present constitution. The change made is to the effect that if any school district does not maintain a school for five months in each year, instead of three months as now provided, such district shall forfeit its proportion of the 'primary school interest fund,' instead of the 'income of the primary school interest fund and of all funds arising from taxes for the support of schools,' as now provided. The purpose of the increase from three to five months is to provide for the better education of the young, and the provision as to forfeiture is changed so as to exclude everything except the primary school interest fund. The provision for the education of pupils in another district than that of their residence is to accommodate sparsely populated school districts."

"SEC. 10. The legislature shall maintain the university, the college of mines, the state agricultural college, the state normal college, and such state normal schools and other educational institutions as may be established by law."

"This is a new section and renders it mandatory upon the legislature to maintain the educational institutions therein specified."

"SEC. 11. The proceeds from the sales of all lands that have been or hereafter may be granted by the United States to the state for educational purposes and the proceeds of all lands or other property given by individuals or appropriated by the state for like purposes shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant or appropriation."

"No change from sec. 2, Art. XIII of the present constitution."

"SEC. 12. All lands, the titles to which shall fail from a defect of heirs, shall escheat to the state, and the interest on the clear proceeds from the sales thereof shall be appropriated exclusively to the support of the primary schools."

"No change from sec. 3, Art. XIII of the present constitution."

"SEC. 13. The legislature shall appropriate all salt spring lands now unappropriated, or the money arising from the sale of the same, where such lands have already been sold, and any *funds or* lands which may hereafter be granted or appropriated for such purpose, for the support and maintenance of the agricultural college."

"Certain obsolete provisions relative to the establishment of an agricultural college, which appear in sec. 11, Art. XIII of the present constitution, are omitted in the revision of said section. The italicized words 'funds or' are inserted to secure appropriated funds as well as lands to the purpose named."

"SEC. 14. The legislature shall provide by law for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties, *cities* and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries."

"This section takes the place of sec. 12, Art. XIII of the present constitution, the only change being the insertion of the word 'cities' and the elimination of the following: 'unless otherwise ordered by the township board of any township or the board of education of any city: Provided, That in no case shall such fines be used for other than library or school purposes.' The purpose of such elimination being to require the use of such funds for library purposes exclusively."

"SEC. 15. Institutions for the benefit of those inhabitants who are deaf, dumb, blind, feeble-minded or insane shall always be fostered and supported."

"No change from sec. 10, Art. XIII of the present constitution, except to insert the word 'feeble-minded' for the purpose of making a constitutional provision for the care of this class of unfortunates as well as the others named."

D 28. **Montana** (1907): Session Laws, 1907, p. 50, authorizing the establishment of county free high schools, *held* not objectionable as delegating legislative power to the voters of the counties.—Evers *v.* Hudson, 92 p., 462.

Constitution, art. 11, secs. 1, 11, held a mandate to the legislature to establish free common schools, etc., not a limitation on legislative power to provide for county free high schools.—*Ibid.*

29*. **Nevada:** Providing for the reorganization of the system of school supervision and maintenance and repealing all conflicting acts.

Numerous amendments to existing statutes. Among important ones may be noted the following: Abolishing office of county superintendent and establishing office of deputy superintendent of public instruction, one for each of the supervision districts into which the State is divided; reorganizing the plan of examination and certification of teachers, such to be under the direction of state board of education and the board of educational examiners, created; creating office of city superintendent of schools for certain districts; increasing state school tax from 5 cents to 6 cents; modifying method of apportionment of state school moneys, using number of teachers as partial basis.

Chap. 182, Mar. 29, 1907. (Aug. 1, 1907.)

30. **New Jersey:** Amending sec. 126, chap. 1, acts, 1903 (sp. sess., Oct. 15), relating to schoolhouses, facilities, and accommodations.

Defining suitable school facilities and accommodations to mean, "proper school buildings, together with furniture and equipment, convenience of access thereto, and courses of study suited to the ages and attainments of all pupils between the ages of 5 and 20 years." Provision for within school district or by transportation of pupils.

Chap. 123, May 7, 1907.

D 31. **New Jersey** (1905): On a controversy between a citizen and a local board of education respecting the public school to which the children of the citizen should be assigned, the remedies provided by school law, 1903 (P. L., 21), by application to the state superintendent of public instruction, must be exhausted before mandamus will issue.—Stockton *v.* Board of Education of City of Burlington, 59 A., 1061.

32. **New Mexico:** Revising and systematizing the school laws. Repealing and reenacting with amendments sundry sections. Compiled Laws, 1897, and sundry chapters, laws, 1901, 1903, and 1905.

Providing for the reorganization and compensation of the territorial board of education; prescribing its general powers and duties with reference to teacher's certificate, uniform text-books, course of study, teachers' institutes, etc.

Providing, also, for the appointment, term, salary, etc., of superintendent of public instruction and prescribing his general powers and duties.

Providing, also, for the election, qualifications, salary, etc., of county superintendents; for the creation and alteration of school districts; for tax levies for school purposes; for care of school lands. Prescribing certain conditions relative to payment of teachers' salaries (see enactment No. 859).

Chap. 97, Mar. 21, 1907.

D 33. **New York** (1905): Charter city of Buffalo (laws, 1891, p. 210, chap. 105), sec. 334, in defining the duties of the school examiners, provides that they shall hold at least one stated meeting each month. Sec. 337 (p. 211) provides that the examiners shall hold stated examinations at such of their regular meetings as they may designate, and at least as often as once every three months, of all applicants, etc. *Held* that, there being no statute prohibiting the holding of such examinations on Saturday, or requiring the board to refrain from examining on that day persons who observe it as a day of worship, or to grant such persons a special examination on some other day, a Jewish applicant is not deprived of the equal protection of the law and discriminated against because of her race by being denied such examination on some day other than Saturday.—Cohn *v.* Townsend, 94 N. Y. S., 817.

D 34. **New York** (1908): [a] Laws, 1893, p. 1495, chap. 661, as amended by laws, 1900, p. 1484, chap. 667, sec. 2, being sec. 210 of the public health law, excluding children not vaccinated from the public schools, is not a violation of constitution, art. 1, secs. 1, 6, guaranteeing the citizen the protection of his rights, privileges, and liberties.—Viemeister *v.* White, 72 N. E., 97.

Laws, 1893, p. 1495, chap. 661, as amended by laws, 1900, p. 1484, chap. 667, sec. 2, being sec. 210 of the public health law, excluding children not vaccinated from the public schools, is not in violation of the constitution, art. 9, sec. 1, providing for free common schools wherein all children of the State may be educated.—*Ibid.*

35*. **North Dakota:** Providing for the revision and compilation of the school laws.

Authorizing attorney-general to revise, compile, arrange, simplify, and classify school laws. Report to legislature of 1909.

Chap. 102, Mar. 12, 1907.

36. **North Dakota:** Providing for a uniform system of accounting by state institutions, prescribing the books, forms, duties of the accounting officer, the state auditor, and institution treasurers with regard to such uniform system of accounting; also prescribing the form of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Chap. 232, Mar. 13, 1907.

37. **Ohio:** Providing for the relief of sufferers from fire at a public school in Collinwood, Ohio.

Creating "Collinwood School Fire Relief Commission." Appropriating $25,000.

H. B. 1224, p. 597, Mar. 6, 1908.

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[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

D 38. **Ohio** (1904): New code, sec. 217 (96 Ohio Laws, p. 91), in so far as it provides for the mode or system of government of the Toledo University, who the directors shall be, and how they shall be appointed, necessarily abrogates so much of Rev. Stat., sec. 4105, as contains the provision that the matter shall be committed to the control of the board of education of the city school district, but it does not abrogate that portion of such section providing for the levy of taxes by the board of education.—Waddick *v.* Merrell, 26 Ohio Cir. Ct. R., 437.

D 39. **Ohio** (1904): Act Apr. 25, 1904, attempting to re-create and legalize special school districts theretofore existing, was violative of constitution, art. 2, sec. 25, providing that all laws of a general nature shall have a uniform operation throughout the State.—State *v.* Hickman, 27 Ohio Cir. Ct. R., 216.

D 40. **Ohio** (1905): Rev. Stat., 1892, sec. 3891, and Rev. Stat., 1892, sec. 3891–3928, as amended by act April 25, 1904 (97 Ohio Laws, p. 334), being an act to provide for the organization of the common schools and to amend, repeal, and supplement certain sections of the Revised Statutes, are unconstitutional, in so far as they declare to be legal and valid special school districts; special districts which have been created under the provisions of invalid special acts of the general assembly.—Bartlett *v.* State, 75 N. E., 939; 73 Ohio Stat., 54.

D 41. **Ohio** (1907): Whether a rule or regulation adopted by a board of education under Rev. Stat., sec. 3986, empowering the board of education of any school district to make and enforce such rules and regulations to secure the vaccination of, and to prevent the spread of smallpox among, the pupils attending, or eligible to attend, the schools of the district, as in its opinion the safety and interests of the public require, is a reasonable rule or regulation, is to be determined in the first instance by the board of education, and the courts will not interfere unless it be clearly shown that there has been an abuse of its discretion.—(1907) State *v.* Board of Education of Village of Barberton, 81 N. E., 568; 76 Ohio Stat., 297, affirming judgment (1905) 29 Ohio Cir. Ct. R., 375.

42. **Oklahoma**: Constitutional provisions [a] concerning education (adopted Sept. 17, 1907):

ARTICLE XIII.

EDUCATION.

"SECTION 1. The legislature shall establish and maintain a system of free public schools wherein all the children of the State may be educated.

"SEC. 2. The legislature shall provide for the establishment and support of institutions for the care and education of the deaf, dumb, and blind of the State.

"SEC. 3. Separate schools for white and colored children with like accommodations shall be provided by the legislature and impartially maintained. The term 'colored children,' as used in this section, shall be construed to mean children of African descent. The term 'white children' shall include all other children.

"SEC. 4. The legislature shall provide for the compulsory attendance at some public or other school, unless other means of education are provided, of all the children in the State who are sound in mind and body, between the ages of eight and sixteen years, for at least three months in each year.

"SEC. 5. The supervision of instruction in the public schools shall be vested in a board of education, whose powers and duties shall be prescribed by law. The superintendent of public instruction shall be president of the board. Until otherwise provided by law, the governor, secretary of state, and attorney general shall be ex-officio members, and with the superintendent, compose said board of education.

"SEC. 6. The legislature shall provide for a uniform system of text books for the common schools of the State.

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[a] See p. 78 for provision concerning school lands.

"SEC. 7. The legislature shall provide for the teaching of the elements of agriculture, horticulture, stock feeding, and domestic science in the common schools of the State."

43. **Oklahoma:** Making it an offense punishable by fine and removal from office for any executive, legislative, ministerial, or judicial officer of this State, district, county, city, or other municipal subdivision of the State, to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment, or duty in any department of the government of which such executive, legislative, ministerial, or judicial officer may be a member; or any person so related to any other such officer in consideration of the appointment or vote for the appointment by such other officer of any person so related to the officer making or voting for such appointment; prohibiting the payment of any such ineligible person out of any public funds, and providing for suitable punishment and removal from office for the violation of this act.

Including public-school trustees, officers, and boards of managers of the State University and its several branches, and state normal schools within the enumerated list of officials to whom act applies.

Chap. 60, S. B. 300, p. 573, May 8, 1908.

44*. **Oklahoma:** Providing for separate schools and school officers for the white and colored races, and fixing a penalty for the violation thereof.

Defining "white" and "colored" schools. Providing for separate boards of school officers for each, and prescribing penalties for teachers violating provisions for separate schools. Prescribing maintenance of private schools on separate basis, and prohibiting white persons from attending colored schools or colleges.

Chap. 77, H. B. 365, p. 694, May 5, 1908.

D 45. **Oklahoma** (1904): Act March 8, 1901 (acts, 1901, p. 205, c. 28, art. 9), providing for separate schools for white and colored children, and that schoolhouses shall be built by the county, but that it shall be at no expense on account thereof, but the school district shall keep such in repair, and the county shall be at no expense where districts at the passage of the act have schoolhouses for that class of children, white or colored, that are fewer in number in the district, is not unconstitutional because of interference with property rights without just compensation.—Board of Education of City of Kingfisher *v.* Board of Commissioners of Kingfisher County, 78 P., 455, 14 Okl., 322.

School districts which include cities of the first class may, without special authority, erect in the district such buildings as may be deemed advisable for the separate use of white and colored children, regardless of the question whether or not they had the legal right to prohibit colored children from attending a white school.—Board of Education of City of Kingfisher *v.* Board of Commissioners of Kingfisher County, 78 P., 455, 14 Okl., 322.

46. **Oregon:** Authorizing superintendent of public instruction to annotate and compile the school laws of the State.

H. Jt. Res. No. 17, p. 504, Feb. 20, 1907.

47. **Pennsylvania:** Providing for the appointment of a commission by the governor, for the purpose of amending, revising, and collating the laws touching upon the public schools of the State, and for the further purpose of suggesting new legislation for the welfare of said schools, and making an appropriation of $5,000 to meet the expenses of said commission.

Jt. Res. No. 140, May 8, 1907.

48. **Pennsylvania:** Appropriating $1,750 for the payment of the expenses of the senatorial committee appointed Mar. 15, 1907, for the purpose of making

an investigation of the school system of the first school district of Pennsylvania upon complaints of the citizens thereof.

Act No. 368, June 13, 1907.

D 49. **Pennsylvania** (1905): A decision of school directors that certain children are not residents of the district and entitled to attend school therein can not be reviewed by a court and jury.—Commonwealth *v.* Wenner, 61 A., 247; 211 Penn., 637.

50. **Tennessee**: Creating a joint legislative committee of seven to report on legislation with reference to a uniform system of public schools.

p. 2237, Feb. 2, 1907.

51. **Virginia**: Amending and reenacting sec. 1472, code, 1904, as amended, relative to school officers and teachers not having any pecuniary interest in schoolbooks, appliances, furniture, or supplies; exceptions; neither school or corporation officers to discount warrants.

Excepting merchants selling in the regular course of business books selected and adopted by the state board of education.

Chap. 196, Mar. 12, 1908.

52. **Virginia**: Providing for a commission to devise a stable method for the maintenance, management, and expansion of the educational institutions of the State.

Commission of seven, including four experienced educators, to be appointed by governor. Report next session.

Chap. 272, Mar. 13, 1908.

53. **Washington**: Creating a commission to revise and recodify the code of public instruction, defining its powers and duties, and making an appropriation.

Report to legislature of 1908. Maximum expenditure, $500.

Chap. 141, Mar. 12, 1907.

54. **West Virginia**: Amending and reenacting chap. 45, code, 1906, relative to education.[a]

Chap. 27, Mar. 6, 1908.

55. **Wisconsin**: Relating to greater harmony between state and national education.

"*Whereas*, Education is at the basis of all progress in our country;

"*Whereas*, We have in the States not yet touched upon the great problem of universal education;

"*Whereas*, The cooperation of the State and nation is more needed now than ever because of the great mass of immigration flowing into this country;

"*Be it resolved*, That our representatives in Congress be hereby memorialized that they use their best efforts to bring about an amendment to the Federal Constitution empowering Congress to pass proper legislation establishing a harmonious system of education and to establish and maintain conjointly with the States a national system of education."

Joint Res. No. 36, p. 1295, 1907.

D 56. **Wisconsin** (1908): [b] The discretion of school authorities in government and discipline of pupils is very broad, and the courts will not interfere with the exercise of such authority, except when illegally or unreasonably exercised.—State *v.* District Board of School Dist. No. 1, 116 N. W., 232.

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[a] This measure revises the entire school law of the State. It contains 270 separate sections, and owing to its great length it has been found to be inexpedient to analyze and present in classified manner the numerous and, in many instances, important changes brought about. According to the estimate of the state superintendent, Mr. Thomas C. Miller, the following items represent the most important modifications introduced: (*a*) District supervision; (*b*) consolidation of schools; (*c*) increased salaries for teachers; (*d*) a state board of education; (*e*) state aid to weak school districts; (*f*) more rigid compulsory education.

[b] See "Recent decisions," at the close of this bulletin, for complete text of decision.

57. **Wisconsin**: Proposing amendment to sec. 3, art. 10, of the constitution, relating to the school age.
Fixing school age 6 to 20 (formerly 4 to 20).
Jt. Res. No. 23, p. 1288, 1907.

(b) State Boards and Officers.

The legislation of the biennium concerning state boards and officers continues to display a continued endeavor to increase their efficiency and expand their influence, especially so in the case of the state superintendent of public instruction. In evidence of this may be pointed out the enactments in Arizona (59), Louisiana (72), Maine (74), Mississippi (79), Montana (81), Pennsylvania (96), Utah (105), Virginia (107), Washington (109), providing for considerably increased salaries for this officer, as well as the enactments in Arizona (60), (61), Connecticut (65), North Dakota (89), Rhode Island (98), (99), Utah (104), Vermont (106), Washington (110), and Wisconsin (114), (115), providing for increased sums for clerical expenses and increased compensation for assistants, deputies, and inspectors.

The new code of West Virginia (54) provided for a state board of education. California proposed a constitutional amendment relative to the constitution of the state board of education, so as to permit of the wider representation of the several educational interests of the State. Massachusetts (76) amended the act creating the commission on industrial education, passed in 1906, so as to admit the appointment of one woman.

Even a brief review of the legislation of this group would include specific mention of the organization of state text-book commissions in Idaho (68), Montana (80), Nevada (82), and Oklahoma (93).

The interpretations placed by the highest courts of Maryland (D 75) and New York (D 87), (D 88), upon the statutes regulating the powers of state boards and state superintendents will have a tendency to dignify as well as increase the responsibility of these officers. The decision in the case of the State of Florida *v.* Bryan (D 67) was of much importance to the higher educational interests of that State.

58. **Alabama**: *See enactment No. 1144.*

59. **Arizona**: Amending sec. 19, act No. 89, acts, 1903, relative to the office and salary of superintendent of public instruction.
Increasing annual salary from $1,800 to $2,000.
Sec. 8, chap. 67, Mar. 21, 1907. (July 1, 1907).

60. **Arizona**: Amending subdiv. 6, sec. 17, act No. 89, acts, 1903, relative to duties of superintendents of public instruction.
Increasing allowance for printing annual report from $350 to $500.
Sec. 9, chap. 67, Mar. 21, 1907. (July 1, 1907).

61. **Arizona:** Amending subdiv. 4, sec. 17, act No. 89, acts, 1903, relative to the duties of the superintendent of public instruction.

Defining in greater detail duties regarding the preparation, printing, and furnishing of blank forms, registers, certificates, courses of study, examination questions, etc. Increasing annual allowance for same from $800 to $1,000.

Sec. 14, chap. 67, Mar. 21, 1907. (July 1, 1907).

D 62. **Arkansas** (1907): Under constitution, 1874, art. 19, sec. 19, making it the duty of the general assembly to provide by law for the support of institutions for the education of the deaf, dumb, and blind, and for the treatment of the insane, the legislature had power to make the superintendent of the Arkansas School for the Blind a public officer, notwithstanding sec. 9, forbidding the general assembly to create any permanent state offices not provided for in the constitution.—Lucas *v.* Futrall, 106 S. W., 667.

63. **California:** Proposing amendment to sec. 7, art. 9 (constitution, 1879, as amended Nov. 6, 1894), relative to state and county boards of education.

Changing composition of state board of education so as to provide for wider representation of the several educational interests of the State.—Jt. Res., chap. 43, p. 1369, Mar. 14, 1907.

Defeated, November, 1908.

64. **California:** Amending sec. 1532, political code, 1906, relative to the duties of the superintendent of public instruction.

Report of total number of children in State between 5 and 17 years of age to be made to the controller in August (formerly July).

Chap. 53, Mar. 1, 1907.

65. **Connecticut:** Amending sec. 4811, statutes, 1902, as amended by chap. 251, public acts, 1905, concerning the salary of the chief clerk of the state board of education.

Increasing maximum salary allowed from $1,800 to $2,500.

Chap. 7, Mar. 20, 1907.

66. **Connecticut:** Repealing sec. 134, statutes, 1902; chaps. 7 and 55, acts, 1903; and chaps. 26 and 29, acts, 1905, concerning the printing of public documents.

Fixing number of printed reports of all state officers and boards. Commissioner of the school fund, 1,000 copies; state board of education, 6,000 copies; Connecticut Agricultural Experiment Station, 12,000; Agricultural College, 1,000; Storrs Agricultural Experiment Station, 7,000.

Chap. 133, June 21, 1907.

D 67. **Florida** (1905): Laws, 1905, chap. 5384, abolishing the Florida Agricultural College, officially designated as the University of Florida, and other schools, and providing for the creation of a board of control to manage all of the several institutions created and provided to be supported and maintained by the act, does not conflict with act of Congress July 2, 1862, chap. 130, 12 Stat. 503, which donated lands for the support of a college where the leading objects should be instruction in agriculture and the mechanic arts and military tactics.—State *v.* Bryan, 39 So., 929.

68. **Idaho:** *See enactment No. 1146.*

69. **Iowa:** Amending sec. 168, code supplement, 1902, concerning the furnishing of supplies and postage to state officials by the executive council.

Including among such the educational board of examiners.

Sec. 1, chap. 6, Apr. 4, 1907.

70. **Iowa:** Amending sec. 2634a, code supplement, 1902, relative to compensation of members and officers of the board of educational examiners.

Sec. 4, chap. 6, Apr. 4, 1907.

71. **Kansas**: Amending sec. 6457, statutes, 1901, relative to state text-book commission.

Not more than five (formerly three) of the eight members to be of one political party.

Chap. 328, Mar. 9, 1907.

72. **Louisiana**: Proposing an amendment to art. 249, constitution, relating to the office of the state superintendent of public education.

Increasing annual compensation from $2,000 to $5,000. Removing limitation imposed on office expenditures.—Adopted, November, 1908.

Act No. 28 (Jt. Res.), June 20, 1908.

73. **Louisiana**: Amending and reenacting sec. 3, act 214, acts, 1902, relative to powers of state board of education.

Striking out provisions relative to appointment of parish school directors, and the making of rules and regulations for the government of public schools. Preference to be given to Louisiana publications in adopting text-books.

Act No. 231, July 8, 1908.

74. **Maine**: Increasing the salary of state superintendent of schools and further defining his duties.

Annual salary fixed at $2,500 (formerly $1,500, chap. 307, acts, 1889; sec. 1, chap. 116, Revised Laws, 1903). Actual cash expenses incurred in the performance of official duties to be paid out of specific appropriation. Official duties to be performed at the seat of government.

Chap. 171, Mar. 27, 1907.

74a. **Maryland**: Amending sec. 17D, chap. 356, acts, 1906, relative to assistant superintendent of public instruction.

Increasing annual compensation from $1,500 to $2,000.

Chap. 494, p. 225, Apr. 8, 1908.

D 75. **Maryland** (1906): Code Pub. Gen. Laws, 1904, art. 77, sec. 11, providing that the state board of education shall, to the best of their ability, cause the provisions of the article to be carried into effect, that they shall explain the true intent and meaning of the law, and shall decide, without expense to the parties concerned, all controversies and disputes arising under it, and that their decisions shall be final, constituted a valid exercise of legislative power, and conferred visitorial powers on such state board of education over school matters in the State.—Underwood *v.* Board of County School Commissioners of Prince George County, 63 A. 221, 103 Md., 181; Nally *v.* Underwood, id.

76. **Massachusetts**: *See enactment No. 1280.*

77. **Minnesota**: Providing for a board for the investment of the permanent school, permanent university, and other permanent trust funds.

Defining membership and powers.

Chap. 340, Apr. 23, 1907.

78. **Minnesota**: Establishing a state board of visitors for the public institutions in the State.

Providing for constitution of board. Applies to charitable and correctional institutions.

Chap. 441, Apr. 25, 1907.

79. **Mississippi**: Fixing the salary of the state superintendent of education.

Increasing annual salary from $2,000 to $2,500. (Amending chap. 134, laws, 1904, sec. 4476, code, 1906.)

Chap. 145, Feb. 26, 1908.

80. **Montana**: *See enactment No. 1148.*

81. **Montana**: Amending sec. 1716, political code, 1895, relative to salary of superintendent of public instruction.

Increasing annual salary from $2,500 to $3,000.

Chap 116, Mar. 6, 1907. (Jan., 1909.)

82. **Nevada**: *See enactment No. 1149.*

83. **New Jersey**: Creating a department of public reports.

Providing for a commissioner, and prescribing salary and duties. All official reports to be examined, edited, and indexed. Approval of reports before printing.

Chap. 211, Apr. 13, 1908.

D 84. **New Jersey** (1905): Under acts, 1902, p. 72, sec. 10, the state superintendent of schools has power to decide all controversies under the school laws as to the election of members of the board of education of certain municipalities, subject to appeal to the state board of education.—Du Four *v.* State Supt. of Public Instruction, 61 A., 258.

85. **New Mexico**: *See enactment No. 1149.*

86. **New York**: *See enactment No. 1595.*

D 87. **New York** (1906):[a] While no express authority was given the state superintendent of public instruction under Consolidated School Law, Laws, 1894, p. 1181, chap. 556, to establish regulations as to the management of public schools, he has the power to make such regulations as are consonant with the general purpose of the statute and not inconsistent with the laws of the state.—O'Connor *v.* Hendrick, 77 N. E., 612.

A regulation of the superintendent of public instruction prohibiting teachers in public schools from wearing a distinctly religious garb while teaching therein is a reasonable and valid exercise of the powers conferred upon him to establish regulations as to the management of public schools, because the influence of such apparel is distinctly sectarian, and the prohibition is in accord with the public policy of the state, as declared in constitution, art. 9, sec. 4, forbidding the use of property or credit of the state in the aid of sectarian influences.—*Ibid.*

D 88*. **New York** (1908):[a] The jurisdiction of the commission of education applies to the common schools of cities of the second class, including the city of Troy, so that an appeal from an order dismissing a proceeding to remove a superintendent of schools of such city was properly taken to such commissioner, under laws, 1894, p. 1181, chap. 556, as amended by laws 1904, p. 94, chap. 40, conferring on the commissioner of education the powers and duties of superintendent of public instruction previously exercised by such superintendent, including the power to determine such appeals.—Harris *v.* Draper, 109 N. Y. Sup., 983.

Under laws, 1894, p. 1181, chap. 556, as amended by laws, 1904, p. 94, chap. 40, conferring on the commissioner of education authority to hear appeals of any person considering himself aggrieved in consequence of any decision of a board of education with reference to the common schools of the state, it is the duty of the appellant to establish before the commissioner that he is in fact a party aggrieved by the decision appealed from.—*Ibid.*

89. **North Dakota**: Providing for the payment of the necessary expenses of state officers.

Allowing state superintendent among other state officers $500 for expenses incurred in discharge of duties. To be paid quarterly without filing itemized statement.

Chap. 30, Mar. 4, 1907.

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[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

90. **North Dakota:** Amending sec. 747, Revised Codes, 1905, relative to qualifications of state superintendent of public instruction.

Must be the holder of a state certificate of the highest grade issued in the state (formerly, *some* state).

Sec. 1, chap. 95, Mar. 19, 1907.

91. **North Dakota:** Requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions.

Prescribing items of such reports, requiring trustees of institutions to furnish data demanded by the governor, and providing for payment of clerical and printing costs.

Chap. 233, Mar. 19, 1907.

92. **Ohio:** Providing for an investigation of charges against members of the board of state school examiners and the state commissioner of common schools.

S. Jt. Res. 55, p. 620, Feb. 6, 1908.

93. **Oklahoma:** *See enactment No. 1151.*

94. **Oklahoma:** Converting to the use of the state board of education all funds in the hands of the state treasurer from territorial funds now placed to their credit.

Fixing salary and mileage of members.

Chap. 5, S. B. 352, p. 101, May 23, 1908.

95. **Oregon:** Amending sec. 3449, Bellinger and Cotton's Annotated Codes and Statutes, 1901, relative to sessions of board of state text-book commissioners.

Changing sextennial sessions from July to June.

Chap. 13, Feb. 8, 1907.

96. **Pennsylvania:** Fixing the salary of the superintendent of public instruction and of the deputy superintendents of public instruction.

Raising salary of state superintendent from $4,000 to $5,000, and fixing that of deputies at $2,000 per year.

Act No. 71, Apr. 15, 1907.

97. **Pennsylvania:** Amending par. X, sec. 1, No. 130, acts, 1905, regulating the publication, binding, and distribution of public documents.

Authorizing the publication annually of 5,000 additional copies of the report of the superintendent of public instruction, and 15,000 additional copies, biennially, of school laws and decisions.

Act No. 201, May 28, 1907.

98. **Rhode Island:** Amending sec. 1, chap. 978, acts, 1891 (sec. 2, chap. 52, General Laws, 1896), relative to clerical assistance for the commissioner of public schools.

Chap. 1473, Apr. 23, 1907.

99. **Rhode Island:** Amending sec. 14, chap. 51, General Laws, 1896, relative to state board of education.

Members and secretary of board to be paid necessary expenses incurred in discharge of official duties.

Chap. 1534, Apr. 21, 1908.

100. **South Dakota:** Repealing chap. 22, Revised Political Code, 1903 (chap. 113, laws, 1901), chaps. 75, 126, 127, 128, 129, 130, 131, 132, and 133, laws, 1903, and chaps. 68, 99, 100, 102, 103, 158, and 162, laws, 1905, relating to public education; and establishing a uniform system of education for the state.

Prescribing the powers and duties of the superintendent of public instruction, and providing for the issuance, renewal, validation, and

revocation of state certificates and life diplomas to teach by such officer. Providing for the election, qualifications, and graded compensation of county superintendents of schools; prescribing the general and special powers and duties of such officers. Providing for the organization and government of school districts, for the election, qualifications, compensation, officers, powers, and duties of district school boards. Defining the school year, month, and day, and providing for the conditions of employment and general duties of teachers. Providing for the compulsory education of children; for the issuance of school bonds, for the organization and government of independent school districts in cities, towns, and adjacent territory, for school libraries, and for township high schools.

Providing also for the organization of a county board of education for the purpose of selecting and adopting uniform text-books. Sundry other provisions.

Chap. 135, Mar. 13, 1907.

101. **Tennessee**: Amending subsec. 12, sec. 7, chap. 25, acts, 1873, relative to the duties of the state superintendent.

Providing for biennial (formerly annual) reports to the governor. Statistical tables to be printed annually.

Chap. 153, Mar. 21, 1907.

102. **Texas**: *See enactment No. 1153.*

103. **Utah**: *See enactment No. 1160.*

104. **Utah**: Amending sec. 1774, Revised Statutes, 1898, as amended by chap. 54, Laws, 1901, relative to the election of state superintendent of public instruction, his qualifications, and the appointment and compensation of his deputy.

Deputy superintendent to be paid traveling expenses (formerly $400 per annum); to represent superintendent at teachers' institutes.

Chap. 41, Mar. 14, 1907.

105. **Utah**: Amending sec. 1, chap. 73, Laws, 1901, relative to the salaries of certain state officers.

Increasing annual salary of state superintendent of public instruction from $1,800 to $2,400.

Chap. 92, Mar. 14, 1907.

106. **Vermont**: Amending in a minor manner sec. 4, act No. 9, acts, 1888 (sec. 597, chap. 32, Public Statutes, 1894), relative to expenses of superintendent of education.

Sec. 3, No. 43, Dec. 18, 1906. (Apr. 1, 1907.)

107. **Virginia**: Appropriating the public revenue for the two fiscal years ending Feb. 28, 1909, and Feb. 28, 1910.

Increasing annual compensation of state superintendent from $2,800 to $3,500 (p. 423). Increasing authorized annual amount for summer normal institutes from $5,000 to $15,000. Appropriating $100,000 annually for high schools; $20,000 annual maximum for establishment of departments of agriculture, domestic economy, and manual training in at least one high school in each congressional district.

Chap. 284, p. 431, Mar. 14, 1908.

108. **Virginia**: Amending and reenacting secs. 1433 and 1438, Code, 1904, as amended, relative to the duties of the state board of education.

Providing for the establishment of school divisions so as to insure an annual salary of not less than $900 for division superintendents. Exceptions. Requiring division superintendents of schools to devote themselves exclusively to discharge of duties of office. Exceptions. Modifying conditions relative to the adoption and change of text-books.

Chap. 292 (in part), Mar. 14, 1908.

109. **Washington**: Fixing the annual salaries of the several state officers and providing the manner of payment.

Salary of superintendent of public instruction fixed at $3,000.

Chap. 94, Mar. 9, 1907.

110. **Washington**: Amending sec. 22, chap. 118, Laws, 1897 (Code of Public Instruction), relative to the powers and duties of the superintendent of public instruction.

Annual reports; traveling expenses. Making superintendent ex officio member of state board of higher education. County superintendent to attend annual convention; mileage. Basis of apportionment of school funds.

Sec. 1, chap. 240, Mar. 18, 1907.

111. **Washington**: Amending sec. 24, chap. 118, Laws, 1897 (Code of Public Instruction), relative to the state board of education.

Deputy superintendent to be secretary of board.

Sec. 2, chap. 240, Mar. 18, 1907.

112. **Washington**: Amending sec. 27, chap. 118, Laws, 1897 (Code of Public Instruction), relative to the powers and duties of the state board of education.

Striking out clause relative to adoption of uniform text-books. Providing for investigation of standards of schools outside of the State, and the preparation of a list of accredited certificates and diplomas for the granting of certificates and diplomas without examination.

Sec. 3, chap. 240, Mar. 18, 1907.

113. **Washington**: Amending sec. 28, chap. 118, Laws, 1897 (Code of Public Instruction), relative to state board of higher education.

Making deputy superintendent secretary of board; defining his duties. Deputy superintendent to act as inspector of accredited schools. Meetings of board.

Sec. 4, chap. 240, Mar. 18, 1907.

114. **Wisconsin**: Appropriating $500 for library, and material and apparatus for lectures in the office of the state superintendent of public instruction.

Chap. 103, May 15, 1907.

115. **Wisconsin**: Amending sec. 170, Statutes, 1898, relating to the salaries of persons employed in the office of state superintendent of public instruction; amending sec. 11, chap. 439, Laws, 1901; amending chap. 499, Laws, 1905; repealing sec. 3, chap. 297, Laws, 1899.

Providing for two additional stenographers in the state superintendent's office.

Chap. 472, July 2, 1907.

(c) County Boards and Officers.

The legislative enactments relating to county boards and officers may be roughly divided into three groups. First, are those relative to the qualifications: Minnesota (139), New Mexico (145), North Dakota (150), (151), and Virginia (173), and those relative to the increased compensation: Florida (125), Missouri (141), South Carolina (158), Virginia (108), and West Virginia (180), of county superintendents of schools. Within this subdivision might properly come those relating to increased traveling expenses and clerical assistance for that officer: Minnesota (136), Montana (142), New Jersey (144), and North Dakota (152).

Second, are those enactments relative to the organization and supervision of education on the basis of the county as a unit. Arkansas (120) and Texas (166) adopted a permissive plan of county supervision. Kentucky reorganized the system of common schools, making the county the basal unit. North Carolina (148) and Tennessee (162) provided for the organization of county boards of education.

Third, are those providing for the organization of so-called county school-board conventions: Oregon (155) and Washington (179). The enactments of these two States increase to seven the number of States that have established these annual meetings of the officers and the members of the boards of the various school districts in every county, with the significant provisions of obligatory attendance and nominal compensation. No movement in public-school organization and administration seems to promise so much for the future development of the efficiency of the rural school as does this one relative to the school-board conventions.

116. **Alabama**: Amending sec. 10, act No. 365, p. 289, Laws, 1903, providing for the redistricting and management of the public schools.

Defining eligibility for membershp on county board of education. Providing for payment of incidental expenses of county board of education.

Sec. 3, act No. 358, p. 480, July 17, 1907. (Sec. 1712, Code, 1907.)

117. **Alabama**: Amending sec. 17, act No. 365, p. 289, Laws, 1903, providing for the redistricting and management of the public schools.

Changing method of filling vacancies in county boards of education and district boards of trustees.

Sec. 5, act No. 358, p. 481, July 17, 1907. (Sec. 1714, Code, 1907.)

D 118. **Alabama** (1906): Under Laws, 1903, p. 292, sec. 11, relating to the redistricting of public schools, providing that the county boards of education shall have the entire control of the public schools within their respective counties unless otherwise provided by law, and shall make rules and regulations for the government of the schools, see that the teachers perform their duties, and exercise such powers consistent with the law, as, in their judgment, will best subserve the cause of education, the matter of the location of schools in the several districts does not come within the powers conferred on the district trustees, but such power belongs to the county board.—Gibson *v.* Mabrey, 40 So., 297.

119. **Arizona**: Amending subdiv. 13, par. 2149 (sec. 20), chap. 4, tit. 19, Revised Statutes, 1901, relative to duties of county superintendent of schools.

Providing that county superintendent must visit and examine each school in the county at least twice each year (formerly twice each year for counties of the first class and once each term for others). Ten dollars deduction from salary for failure to visit any schools.

Providing for visitation by deputy in certain cases. Increasing maximum allowance for traveling expenses from $150 to $250.

Sec. 7, chap. 67, Mar. 21, 1907. (July 1, 1907.)

120. **Arkansas**: Creating the office of county superintendent.

Providing for referendum vote in counties upon question of county supervision. Providing for the election, qualifications, salaries, powers, and duties of county superintendents. County superintendent to supersede present county examiner.

Act No. 399, May 27, 1907.

121. **California**: Amending sec. 1770, Political Code, 1906, relative to duties of county boards of education.

Providing that county boards of education shall meet semiannually instead of annually. Examination of applicants for certificates to teach to be held at the semiannual meetings.

Chap. 156, Mar. 9, 1907.

122. **California**: Repealing and reenacting with amendments tit. 2, part 4, Political Code, 1906, relative to the establishment of a uniform system of county and township governments.

Chap. 7, pp. 410–411.—Department of education. The superintendent of schools and board of education to have the powers and perform the duties prescribed by law. The school department to comprise such public schools as are established and provided for by the Political Code.

Chap. 10, p. 415 ff.—Salaries. Prescribing, among those of other county officers, salaries of county superintendents of schools and county boards of education, for the several (57) classes of counties.

Chap. 282, Mar. 18, 1907.

123. **Delaware**: Providing a fund for county superintendents of schools to pay necessary expenses of visiting schools.

Annual appropriation of $300 to each county superintendent.

Chap. 37, Mar. 21, 1907.

124. **Florida**: Amending sec. 344, Statutes, 1906, relative to the compensation of the members of county school boards.

Increasing compensation from two to four dollars per day, for each day's service.

Chap. 5656 (No. 61), May 27, 1907.

125. **Florida**: Regulating salaries of county superintendents of public instruction.

Salaries to be based upon the total annual receipts of each county for school purposes including special school district taxes, and excepting borrowed money.

Chap. 5658 (No. 63), June 3, 1907. (July 1, 1907.)

126. **Idaho**: Amending sec. 14, H. B. No. 164, Laws, 1899, establishing the office of county superintendent of public instruction and prescribing the duties thereof.

Allowing county superintendent, for the examination of teachers, not to exceed two assistants, who shall receive four dollars per day.

S. B. No. 30, p. 323, Mar. 13, 1907.

127. **Illinois**: Amending sec. 21, art. 2, p. 267, acts, 1889, relative to powers and duties of county superintendent.

Modifying method of apportionment and distribution of principal, interest, and profit on public funds.

H. B. 860, p. 521, May 17, 1907.

D 128. **Indiana** (1907):[a] Burns' Ann. St. 1901, sec. 5905f, empowering the county superintendent of schools to revoke a teacher's license for designated grounds, *held* not in conflict with constitution, art. 1, sec. 12.—Stone *v.* Fritts, 82 N. E., 792.

Statutes conferring on a ministerial officer power to issue and to revoke licenses are not invalid, and do not clothe such officer with judicial power.—*Ibid.*

Burns' Ann. St. 1901, sec. 5905f, empowering county superintendents of schools to revoke teachers' licenses, *held* not to confer on the superintendent judicial power in violation of constitution, art. 3.—*Ibid.*

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[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

D 129. **Iowa** (1906): Where a board of high school directors had power to adopt and promulgate a rule prohibiting the playing of football by pupils of the high school, finding by the board that petitioner had violated the rule and that his apology tendered was insufficient to purge his offense were reviewable only by appeal to the county superintendent, as provided by Code, Sec. 2818.—Kinzer *v.* Directors of Independent School Dist. of Marion, 105 N. W., 686.

D 130. **Iowa** (1907): Under acts, Thirty-first General Assembly, p. 87, chap. 122, enacted April 5, 1906, taking effect October 1, following, expressly repealing Code, secs. 2735–2737, relating to teachers' certificates issued by the county superintendent, etc., and prescribing that the county superintendent shall be the holder of a first-grade certificate or a state certificate or a lawful diploma, and providing for the issuance of first-grade certificates to persons complying with specified conditions, and for the renewals of a first-grade certificate issued prior to the taking effect of the act on the holder thereof complying with specified conditions, etc., one holding a two-years' certificate issued August 30, 1906, under sec. 2737, is not eligible to the office of county superintendent.—State *v.* Huegle, 112 N. W., 234.

131. **Kansas**: Repealing and enacting a substitute for sec. 1, chap. 202, Laws, 1903, relative to county superintendents of public instruction.

Omitting holders of a second-grade certificate from among those eligible.

Chap. 167, Mar. 9, 1907.

132. **Kansas**: Repealing and reenacting with amendments sec. 3, chap. 432, Laws, 1903, relative to the compensation of county high school trustees.

Payment to be made from county high school fund instead of from county treasury.

Chap. 334, Mar. 8, 1907.

133. **Kentucky**: Relative to the government and regulation of the common schools.

Making the county the unit of school organization and government. Providing for the division of counties into educational divisions and the further subdivision of the latter into subdistricts, subdistricts not to include, except in cases of emergency, fewer than 50 white children of school age, nor in any case fewer than 40 such children. Providing for the election of one trustee for each subdistrict, for the organization of division boards therefrom and the duties thereof. Constituting the chairmen of the several educational division boards in each county, together with the county superintendent of schools, as a county board of education, and prescribing the powers, duties, compensation, etc., thereof. Providing for the establishment and support of county high schools.

Chap. 56, Mar. 24, 1908.

134. **Michigan**: Amending sec. 2, act No. 147, acts, 1891 (sec. 4809, Compiled Laws, 1897), as amended by No. 35, acts, 1901, and by No. 169, acts, 1905, relative to the election of county commissioner of schools.

Making special provision for Lake County.

Act No. 115, May 28, 1907.

135. **Michigan**: Amending sec. 8, act No. 147, acts, 1891 (sec. 4815, Compiled Laws, 1897), relative to the duties of the county commissioner of schools.

Prescriptions concerning records of meetings and hearings of the board of examiners; calls for special meetings; reports of school visitation. Providing in districts of over 120 schools for the appointment of visiting assistants by commissioner; in other districts appointment with consent of board of supervisors.

Authorizing examinations and auditing of books and records of any school district at any time when so directed by the superintendent of public instruction or upon application of any school board. Other minor revisions.

Act No. 127, June 5, 1907.

136*. **Minnesota:** Authorizing county boards to audit and allow traveling expenses of county superintendents of schools and assistants.

Chap. 33, Mar. 8, 1907.

137. **Minnesota:** Creating county boards of education for unorganized territory and defining scope and powers.

Chap. 76, Mar. 28, 1907.

138. **Minnesota:** Amending sec. 1396, Revised Laws, 1905, relative to examinations by the state high school board.

Providing for the appointment of not to exceed one assistant to the county superintendent for each township (formerly, one for each four townships).

Chap. 341, Apr. 23, 1907.

139*. **Minnesota:** Proposing an amendment to sec. 7, art. 7, state constitution (1857), relative to eligibility to office.

Excepting county superintendents and prescribing such qualifications as may be required by the legislature.

Chap. 480, Apr. 24, 1907.

Defeated, November, 1908.

140. **Missouri:** *See enactment No. 1147.*

141. **Missouri:** Amending sec. 9813, art. 1, chap. 154, Revised Statutes, 1899, relative to compensation of county superintendent of schools.

Increasing annual compensation in counties wherein the number of children of school age is 9,000 and less than 14,000, from $900 to $1,000; in counties wherein the number of children of school age is 14,000 or more, from $1,000 to $1,500.

H. B. No. 631, p. 432, Mar. 20, 1907.

142. **Montana:** Allowing traveling expenses of county superintendent of schools.

Authorizing annual allowance of $300.

Chap. 27, Feb. 21, 1907.

143. **Nevada:** *See enactment No. 29.*

144. **New Jersey:** Providing and furnishing an office for county superintendents of schools at the county seats.

Authorizing annual appropriation of $500 in each county for clerical assistance to said officer.

Chap. 317, Apr. 16, 1908.

145. **New Mexico:** *See enactment No. 32.*

146. **New Mexico:** Amending sec. 1527, Compiled Laws, 1897, relative to the duties of county superintendents of schools in respect to new school districts.

Providing for the selection of school directors by county superintendent in certain cases.

Chap. 99, Mar. 21, 1907.

147. **North Carolina:** Appointing certain persons as members of the county board of education in the several counties of the State.

Chap. 260, Mar. 11, 1907.

148. **North Carolina:** Constituting school committees and prescribing powers, duties, and qualifications.

Defining duties of county board of education and prescribing qualifications and minimum salary ($40) of high school teachers.

Providing for attendance of pupils upon existing high schools and for the payment of tuition from school funds. State aid equal to amount of local appropriation; maximum aid $500. Schools not to be established in towns.

Establishing East Carolina teachers' training schools for the training of young white men and women. Providing for location, board of trustees, and powers and duties thereof. Appropriating $15,000 for buildings and equipment for the biennium, 1907 and 1908.

Special appropriation of $50,000 for purposes of high school instruction and teachers' training.

Chap. 820, Mar. 8, 1907.

149. **North Carolina:** Amending sec. 4134, chap. 89, Revisal, 1905, relative to county boards of education.

Providing that annual reports of officers shall be forwarded to the State superintendent within thirty days after meeting in July.

Sec. g, chap. 835, Mar. 9, 1907.

150. **North Dakota:** Amending sec. 778, Revised Codes, 1905, relative to the qualifications of county superintendents of schools.

Prescribing two years successful experience, one in the State (formerly, three years experience in the State).

Sec. 2, chap. 95, Mar. 19, 1907.

151. **North Dakota:** Amending sec. 799, Revised Codes, 1905, relative to qualifications to vote at school elections and eligibility to school offices.

Adding provisions that county superintendents must possess educational qualifications prescribed in sec. 778, Revised Codes, 1905. (Amended by sec. 2, chap. 95, Mar. 19, 1907.)

Sec. 3, chap. 95, Mar. 19, 1907.

152*. **North Dakota:** Amending sec. 777, Revised Codes, 1905, relative to salary and deputy of county superintendents.

Making special provision for additional deputies in counties having a population of thirty thousand and over.

Chap. 105, Mar. 12, 1907.

153. **Ohio:** Repealing and reenacting with amendments sec. 4029–2, Revised Statutes (1905), relative to the compensation of the clerks of the boards of county school examiners.

Compensation of clerks to be the same as that fixed by sec. 4070, Revised Statutes.

H. B. 933, p. 116, Apr. 15, 1908.

154. **Ohio:** Repealing and reenacting with amendments sec. 4075, Revised Statutes (1905), relative to compensation of county school examiners.

Regrading compensation as based upon number of applicants for examination.

S. B. 415, p. 240, Apr. 30, 1908.

155. **Oregon:** Providing for district school board conventions, for representation at such convention, and for compensation of delegates.

"SEC. 1. The county school superintendent may, at his discretion, hold annually a school board convention or conventions for a term of not less than one day for the discussion of questions pertaining to the improvement of the public school system.

"SEC. 2. The chairman of the school board shall be the delegate to the convention. If he is unable to attend he shall appoint a member of his board or the clerk to represent the district. Each delegate attending the convention during the entire session shall be entitled to receive two dollars out of the general fund of the county. But no such expense shall be paid until approved by the county superintendent.

"SEC. 3. No school district shall be entitled to compensation for representation for attendance at more than one convention held in the county during any one year."

Chap. 35, Feb. 16, 1907.

156. **Oregon:** Repealing secs. 3360, 3361, 3362, 3377, and 3395, Bellinger and Cotton's Annotated Codes and Statutes, 1901, and repealing H. B. No. 126, p. 99, Laws, 1903, relative to school officers and school funds, and enacting substitute.

Sundry minor amendments relative to education providing for the distribution of the school funds within the counties, defining the powers and duties of county school superintendents and their relations with teachers and district, county, and state officers, creating district boundary boards and county boards of examiners, fixing the qualifications of teachers, etc.

Special provisions concerning disorganization of districts failing to maintain a public school for two years, or containing less than six children of school age.

Chap. 116, Feb. 23, 1907.

157. **Pennsylvania:** Repealing and reenacting with a more comprehensive title act No. 166, acts, 1903, as amended by act No. 105, acts, 1905, providing for the establishment of county associations of school directors and for the payment of certain expenses incident thereto, by the respective school districts and counties of the commonwealth.

Removing question of constitutionality by adding to the title.

Act No. 24, Mar. 22, 1907.

158. **South Carolina:** Fixing the amount of the compensation to be paid to the county officers of the various counties.

Providing for a scale of compensation for the county officers of the several counties, including county superintendents.

Act No. 270, p. 592, Feb. 18, 1907.

159. **South Carolina:** Further amending sec. 1239, Civil Code, 1902, relative to the sale of books by county superintendents.

Adding certain towns and counties to the excepted list.

Chap. 517, Feb. 26, 1908.

160. **South Carolina:** Amending sec. 1200, Civil Code, 1902, relative to county boards of education.

Increasing for the county of Dorchester the number of days for which a per diem may be allowed for the county board of education from seven to ten.

Chap. 528, Feb. 18, 1908.

161. **South Dakota:** *See enactment No. 100.*

162. **Tennessee:** Creating in each county a county board of education and district advisory boards, and prescribing their duties, and abolishing the office of district directors.

Providing for the division of each county into five school districts, each to be composed of whole civil districts; for the creation, powers, and duties of a county board of education, composed of one representative from each of the five districts; county superintendent to be secretary of county board. Providing for local or advisory boards of three members for each civil district and prescribing powers and duties. Exempting city schools and certain counties from operation of act.

Chap. 236, Apr. 6, 1907. (July 1, 1907.)

163. **Tennessee:** Amending secs. 2 and 3, chap. 234, acts, 1905, relative to the county board of education (applies to Lauderdale County alone—population 21,971.)

Minor amendment regarding time until which district clerk shall act as member of board. Removing provision concerning ineligibility of justices of the peace as members of county board of education.

Chap. 348, Apr. 11, 1907.

164. **Tennessee:** Amending sec. 10, chap. 25, acts, 1873, establishing and maintaining an uniform system of public schools.

Creating in counties having a population of not less than 29,250 nor more than 29,300, a county board of education. Prescribing the constitution and powers and duties thereof; the qualifications and compensation of members.

Chap. 391, Apr. 12, 1907.

165. **Tennessee:** Creating and establishing a board of education for Davidson County; providing for the election and removal of members; prescribing their powers, duties, qualifications, and compensation; establishing and maintaining a uniform system of public schools throughout said county; and abolishing the office of district school director.

County board of education of seven members to be appointed by county court for term of three years. This board to have full and complete control of the public schools of the county.

Chap. 447, Apr. 12, 1907. (June 30, 1907.)

166. **Texas:** Amending secs. 36, 37, and 40, chap. 124, acts, 1905, relative to the county supervision of schools.

Providing for the election of county superintendents in counties having a scholastic population of 3,000. Defining procedure for establishment of office in other counties. Prescribing qualifications. Provisions concerning teachers' institutes. Regulating and increasing compensation of county superintendents.

Chap. 111, Apr. 16, 1907.

167. **Utah:** Amending sec. 13, chap. 107, Laws, 1905, relative to the compensation and traveling expenses of members of boards of education in county school districts of the first class.

Fixing annual compensation at $300 *each* (formerly $300). Fixing annual allowance for traveling expenses at $100 each (formerly $50).

Chap. 43, Mar. 14, 1907.

168. **Utah:** Amending sec. 1785, Revised Statutes, 1898, as amended by chap. 64, Laws, 1905, relative to the duties of county superintendents.

Striking out duty of prescribing course of study for district schools (see chap. 57, enactment No. 1160).

Chap. 58, Mar. 14, 1907.

169. **Utah:** Amending secs. 1 and 4, chap. 107, Laws, 1905, relative to county school districts of the first class.

Providing where an entire county is constituted into one school district it shall be a county school district of the first class. Amending manner of election of members of the board of education.

Chap. 113, Mar. 13, 1907.

170. **Virginia:** *See enactment No. 108.*

171. **Virginia:** Repealing sec. 1508, Code, 1904, relative to division superintendents indorsing and depositing warrants with the treasurer.

Chap. 155, Mar. 10, 1908.

172. **Virginia:** Amending and reenacting secs. 613 and 614, Code, 1904, relative to the compensation of city and county treasurers for receiving and disbursing funds.

Chap. 244, Mar. 13, 1908.

173. **Virginia:** Amending and reenacting sec. 1437, Code, 1904, relative to division superintendents of schools.

May not engage in any other business or employment, unless excepted under provisions of sec. 1433.

Chap. 292 (in part), Mar. 14, 1908.

174. **Virginia:** Amending and reenacting sec. 1438, Code, 1904, as amended, relative to salary of division superintendents of schools.

Striking out minimum limitation of $200. Special provisions.

Chap. 292 (in part), Mar. 14, 1903.

175. **Virginia:** Amending and reenacting sec. 1518, Code, 1904, relative to county treasurers' accounts of school funds.

Chap. 309 (in part), Mar. 14, 1908.

176. **Virginia:** Amending and reenacting chap. 137, acts, 1906, requiring the several county and district school boards to make and publish annually a statement of receipts and disbursements, and providing penalty for failure.

Modifying conditions as to publication and form of report. Report to be by districts.

Chap. 310, Mar. 14, 1908.

177. **Virginia:** Providing the commissions that shall be allowed county treasurers upon funds handled by them that are raised by the issuance and sale of county bonds and school district bonds.

Fixing commission at one-fourth of 1 per cent. Minimum compensation $15, maximum $250.

Chap. 312, Mar. 14, 1908.

178. **Virginia:** Amending and reenacting sec. 1447, Code, 1904, relative to powers and duties of county school boards.

Property vested in and managed by county boards to include property for district school purposes. Provisions regarding use of funds below $2,000.

Chap. 393, Mar. 14, 1908.

179*. **Washington:** Supplementing the Code of Public Instruction (chap. 118, Laws, 1897) by adding sec. 33½, relative to duties of county superintendents.

Providing that each county superintendent shall each year hold one or more directors' meetings, the expense of which shall be paid by county commissioners. Maximum expenditure, $100.

Sec. 1, chap. 163, Mar. 13, 1907.

180. **West Virginia:** Amending and reenacting sec. 53, chap. 45, Code, 1906, relative to the qualifications and salary of county superintendents.

Raising the graduated scale of annual salaries. Maximum $1,200, striking out clause relative to county superintendents engaging in teaching.

Chap. 58, Feb. 20, 1907.

181. **Wisconsin:** *See enactment No. 1154.*

(d) District, Township, and Municipal Boards and Officers.

Aside from the few enactments relative to the qualifications, tenure, and powers of superintendents of schools, Louisiana (203), (204), Missouri (223), Rhode Island (249), and Vermont (265), this group contains but little of general interest. By the creation of a "service fund," Ohio (236) made a definite and important provision for the expenses of members of boards of education actually incurred in the performance of their duties; this service fund may equal 5 cents

for each child enrolled in the public schools. Of equal importance are the somewhat similar measures, Ohio (239), providing compensation at the rate of "two dollars for each meeting actually attended for not more than ten meetings in any one year," for members of township boards of education, and West Virginia (277).

While local and particular in their application, the several special acts relative to the reorganization of the educational systems of some of the medium-sized cities are of concern to those interested in the solution of the problems of the political control of public schools as presented by our modern municipalities. The charter revisions or the special educational acts for Alameda (185), Bridgeport (189), Augusta, Me. (208), Cambridge (210), Syracuse (229), Knoxville (258), Nashville (259), San Antonio (261), Dallas (262), and Milwaukee (283), may be selected for special mention. The school-board act for Milwaukee was made necessary by the declared unconstitutionality of the act of 1905, Wisconsin (D 287), (D 288).

The decisions of the Arkansas (D 184) and Ohio (D 244) supreme courts, as to the right of local boards of education to demand that children be vaccinated as a condition for entrance to the public schools, and the decision of the Illinois (D 195) supreme court as to the right of the board of education of the city of Chicago to make rules and regulations prohibiting high-school fraternities, call also for special mention.

182. **Arizona:** Amending subdiv. 4, par. 2206 (sec. 77, chap. 8, tit. 19), Revised Statutes, 1901, relative to school district clerks.

Providing for the annual allowance of not to exceed $100 for compensation in districts having an average attendance of 500 or more pupils.

Sec. 18, chap. 67, Mar. 21, 1907. (July 1, 1907.)

183. **Arizona:** Amending subdiv. 8, par. 2179 (sec. 50, chap. 6, tit. 19), Revised Statutes, 1901, relative to the powers and duties of boards of school trustees.

Empowering boards of trustees of districts having 1,000 census children or more to employ supervising principal. Providing, also, for the employment of supervising principals by districts jointly.

Sec. 19, chap. 67, Mar. 1907. (July 11, 1907.)

D 184. **Arkansas** (1907): The part of the rule of a school board requiring the vaccination of pupils before admission to the schools, which provides that the pupils shall present a certificate of a reputable physician showing that they have been successfully vaccinated, is not unreasonable, and will not be set aside by the courts.—Auten *v.* Board of Directors of Special School Dist. of Little Rock, 104 S. W., 130.

185. **California:** Approving charter of the city of Alameda, voted on and ratified by the qualified electors of said city at a special election held July 18, 1906.

Reorganizing board of education. Board to consist of five members appointed by mayor subject to approval by council; term of office five years, one member retiring each year.

Prescribing powers and duties of board. Providing for superintendent of schools and defining his duties. Providing for teachers' annuity fund.

Sen. Con. Res. No. 2, chap. 7, Feb. 7, 1907 (art. 6, pp. 1080–1084).

D 186. **California** (1905): A superintendent of schools is a county officer, whose duties are prescribed by Pol. Code, sec. 1543, and additional duties can not be imposed upon him by a city charter.—McKenzie *v.* Board of Education of City and County of San Francisco, 82 P., 392.

Pol. Code, sec. 1543, *held* not to make it the duty of the county school superintendent to prefer charges against teachers.—McKenzie *v.* Board of Education of City and County of San Francisco.—*Ibid.*

The board of education of the city and county of San Francisco has jurisdiction to hear testimony against a teacher, although no formal charges have been presented against her by the county superintendent.—McKenzie *v.* Board of Education of City and County of San Francisco.—*Ibid.*

D 187. **California** (1906): The municipal corporation act confers on cities the power to employ a superintendent of schools, which power has in effect been affirmed in Pol. Code, secs. 1533, 1550, 1560, 1616, 1617, 1714, 1788, 1858, 1874, and Stat. 1903, p. 388, chap. 270, secs. 3, 5, 8.—Davidson *v.* Baldwin, 84 P., 238.

St. 1905, p. 918, chap. 11, amending the city charter of San Diego, by providing generally for the school system of the city, and for the constitution of a board of education, in which "the government" of the school district shall be vested, authorizes the school board to elect a city superintendent of schools, whose salary may be fixed as authorized by Pol. Code, sec. 1793.—Davidson *v.* Baldwin, 84 P., 238.

188. **Connecticut:** Concerning election of members of town school committees and school visitors.

Providing for the election and term of office of said school officers whenever the number shall have been changed to three.

Applying provisions of sec. 2, chap. 97, Acts, 1905.

Chap. 39, Apr. 17, 1907.

189. **Connecticut:** Revising the charter of the city of Bridgeport.

Sec. 13, p. 500, provides for the annual election at large of four members of the board of education for a term of three years.

Sec. 84, p. 527, provides that the board of education shall be composed of 12 members and prescribes the general powers and duties of such board.

Sec. 85, p. 527, provides for the furnishing of free text-books and supplies to pupils below the high-school grade.

Act No. 461, Special Acts, Aug. 1, 1907.

190. **Florida:** Amending sec. 270, art. 2 (primary election law), chap. 1, tit. 4, Statutes, 1906, in so far as it relates to the nomination of county commissioners and members of the boards of public instruction of the different counties.

Providing that such officers shall be nominated by districts instead of by the county at large.

Chap. 5697 (No. 102), June 3, 1907.

D 191. **Georgia** (1907): Where a school district was legally laid out and an election of trustees was held therein under act of Aug. 23, 1905 (acts, 1905, p. 425), the fact that the portion of that act relating to local taxation by districts for school purposes was unconstitutional did not oust the trustees from office, nor did Acts, 1906, p. 61, amending the act of 1905, being a curative act, have such effect.—Griffin *v.* Brooks, 59 S. E., 902.

192. **Idaho:** Amending sec. 1, act of Feb. 4, 1881 (p. 369, Laws, 1881), creating the independent school district of Boise City, and providing for establishing and maintaining a graded school therein (sec. 158, Special and Local Laws of Idaho, Feb. 10, 1887); and providing for the organization and government of the independent school district of Boise City, and for

establishing and maintaining high and graded schools therein and a superintendent therefor; and providing for changing the boundary lines of and enlarging said district and assessing and collecting the taxes therefor.

S. B. No. 16, p. 7, Feb. 15, 1907.

193. **Idaho:** Amending sec. 45, H. B. No. 42, Laws, 1899, establishing and maintaining a system of free schools, and relating to powers and duties of boards of school trustees.

Requiring that teacher shall exhibit certificate to board of trustees before contract can be legally signed; requiring also that copy of contract be filed with county superintendent.

Providing for transfer of funds by county superintendents on account of tuition of nonresident pupils attending high schools.

Prohibiting trustees from compelling teachers to make up time while attending any annual county or joint institute. Provisions concerning removal of schoolhouses, purchase of school sites, furnishing of janitor service. Providing for the maintenance and care of school libraries. Prescribing duties of clerks with reference to form and matter of records.

School census to be taken first Tuesday in September instead of first Monday in July.

Minimum school age raised from five years to six years.

H. B. No. 106, p. 341, Mar. 13, 1907.

D 194. **Illinois** (1907): The board of school inspectors is a branch of the city government of the city of Peoria.—People *v.* City Council of Peoria, 82 N. E., 225; 229 Ill., 225.

D 195. **Illinois** (1908): [a] The exercise of the power conferred on the board of education of Chicago by constitution, art. 8, sec. 1, and the legislation adopted pursuant thereto to establish rules and regulations for the government of the schools, will not be interfered with by the courts in the absence of a clear abuse of discretion.—Wilson *v.* Board of Education of Chicago (Ill.), 84 N. E., 697.

D 196. **Indiana** (1906): Acts, 1905, p. 257, chap. 129, sec. 54, provides that the common council of every city may supervise and investigate all departments, officers, and employees of the government of such city, and examine into any charge preferred against them, or any of them, and into the affairs of any corporation, firm, or person in which the city may be interested, etc. *Held*, that the officers of the board of school trustees of a school city, who were statutory trustees, entrusted with the management of the prudential affairs of their respective political districts, as provided by Burns' Ann. Stat., 1901, sec. 5917 et seq., were not "officers and employees of the government of" a civil city within such section.—Agar *v.* Pagin, 79 N. E., 379.

D 197. **Indiana** (1906): A school corporation or the board of school trustees of a school city is not a "corporation" within acts, 1905, p. 257, chap. 129, sec. 54, authorizing the common council of every city to investigate the affairs of any "corporation" in which the city may be interested or with which it may have entered into a contract or may be about to do so.—Agar *v.* Pagin, 79 N. E., 379.

198. **Iowa:** Amending sec. 2771, Code Supplement, 1902, relative to the filling of vacancies on school boards.

County superintendent to call special election if there be no secretary of the board.

Chap. 150, Apr. 4, 1907.

199. **Kansas:** Ratifying the official acts and proceedings of boards of education in cities of the second class of over 10,000 inhabitants.

Chap. 243, Feb. 15, 1907.

[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

200. **Kansas:** Amending secs. 9 and 10, art. 7, chap. 122, Laws, 1876 (secs. 6782, 6783, Statutes, 1905), relative to union or graded-school districts.

Providing that boards of directors of single districts establishing graded schools shall have the management of such schools. Changing time of annual meeting.

Chap. 331, Mar. 9, 1907.

D 201. **Kentucky** (1905): The school board of a city may not insist that, on grounds of public policy, it can not be sued because it is an agent of the State; Ky. St., 1903, sec. 2949, authorizing it to be sued.—Oberdorfer *v.* Louisville School Board, 85 S. W., 696; 27 Ky. Law Rep., 508.

202. **Louisiana:** Authorizing parish boards of school directors to donate to the United States of America right of way for the purpose of constructing, operating, and maintaining canals for transportation purposes or to facilitate the public waterways.

Act No. 14, June 15, 1908.

203*. **Louisiana:** Amending and reenacting sec. 8, act No. 167, acts, 1904, as amending and reenacting sec. 8, act No. 214, acts, 1902, relative to the power of parish boards of school directors.

Prescribing certificate of eligibility for parish superintendents. Giving such superintendents power to nominate teachers, and to recommend number of schools, repairs, etc. Striking out provision concerning compensation of members of board.

Act No. 49, June 20, 1908.

204*. **Louisiana:** Amending and reenacting sec. 65, act No. 214, Acts, 1902, relative to school treasurers.

Parish superintendent of schools (formerly parish treasurer) to be school treasurer.

Act No. 232, July 8, 1908.

D 205. **Louisiana** (1907): Where the governor removed the members of a parish school board from office and appointed a new board the old board, being unwilling to surrender possession of their office, could not be dispossessed by the exercise of the power of removal and the appintment of their successors, but only by an intrusion into office suit.—Jackson *v.* Powell, 44 So., 689; 119 La., 882; In re Powell.—*Id.*

Where the members of a parish school board were sought to be removed from office by the exercise of the governor's removal power and the appointment of a new board as their successors, the members of the old board were entitled to protect their possession of the office by injunction.—Jackson *v.* Powell.—*Ibid.*

206. **Maine:** *See enactment No. 466.*

207. **Maine:** Amending sec. 2, chap. 465, Private and Special Laws, 1868, providing for the election of a superintending school committee and superintendent of schools in the city of Lewiston.

Adding provision for the appointment of truant officers by the superintending school committee, and empowering this committee, instead of city council, to fix the term and salary of the superintendent of schools and the truant officers.

Chap. 129, Private and Special Laws, Feb. 26, 1907.

208. **Maine:** Establishing a board of education in the city of Augusta and providing for a uniform system of schools therein.

Creating a board of education, consisting of nine members, one from each of the eight wards and the president of the trustees of the Cony Female Academy ex officio. Providing for their election (general ward meeting), term (three years), qualifications, powers, and duties of the members for the annual town meeting for the consideration of school matters and for the discontinuance of existing school offices and districts. Providing for submission of act to city for approval. Repealing and amending sundry acts.

Chap. 416, Private and Special Laws, Mar. 26, 1907.

209. **Massachusetts**: Relative to janitors of public schoolhouses in the city of Lawrence.

Giving to school committee full and exclusive authority to appoint, remove, and control janitors of public schoolhouses.

Chap. 187, Mar. 12, 1907.

210. **Massachusetts**: Amending sec. 4, chap. 364, acts, 1891, as amended by chap. 357, acts, 1902, and amending sec. 31, chap. 364, acts, 1891, relative to the school committee of the city of Cambridge.

Reducing membership of school committee from fifteen to five. City divided into three districts; one member from each district elected for three years; two members elected from city at large for three years.

Modifying provisions relative to powers and duties of school committee. Annual expenditures limited to $5 per thousand dollars of taxable property. School committee to have complete charge of school buildings and authority to appoint and remove janitors.

Act to be submitted for approval to qualified voters of city.

Chap. 566, June 28, 1907.

210a. **Massachusetts**: Amending sec. 31, chap. 364, acts, 1891, as amended by sec. 2, chap. 566, acts, 1907, relative to the school committee of the city of Cambridge.

Extending power of expenditure.

Chap. 362, Apr. 7, 1908.

211. **Michigan**: *See enactment No. 296.*

212. **Michigan**: *See enactment No. 297.*

213. **Michigan**: Amending sec. 2, chap. 3, act No. 164, acts, 1881 (sec. 4667, Compiled Laws, 1897), relative to vacancies in school district offices.

Adding provision that an office shall be vacant when incumbent ceases to be a taxpayer in said district; or upon the expiration of twenty days after failure of district to elect successor at annual meeting, at which time board of school inspectors shall appoint successor.

Sec. 1, p. 101, act no. 91, May 15, 1907.

214. **Michigan**: Amending secs. 1, 2, 3, 5, chap. 10, act No. 164, acts, 1881 (secs. 4746, 4747, 4748, 4750, Compiled Laws, 1897), relative to the organization of graded school districts.

Authorizing transfer of organization to graded school district upon majority vote (formerly two-thirds). Providing for board of education in place of board of trustees. Defining eligibility. Providing for treasurer's bond. Providing for financial management; for employment of superintendent of schools whose powers and duties are prescribed.

Act No. 247, June 27, 1907.

D 215. **Michigan** (1905): Under Detroit city charter, Comp., 1904, sec. 596, providing the school inspectors shall be a body corporate known as "Board of Education of the City of Detroit," and in that name may sue and be sued, and hold and convey real and personal property, such board is a municipal corporation, and not liable for the negligence of its employees and agents.—Whitehead *v.* Board of Education of City of Detroit, 112 N. W., 1028; 11 Detroit Leg. N., 923.

D 216. **Michigan** (1908): Comp. Laws, sec. 4810, prescribes certain qualifications as requisite to eligibility to the office of commissioner of schools, but provides that persons who have held the office under the provisions of act No. 147, p. 183, pub. acts, 1891, of which the section is amendatory, shall be eligible. Sec. 3 (p. 184) of the original act provides that no person shall be eligible to the office unless he possesses certain specified qualifications, or has held the office under the act. *Held*, that the original act indicates an intention to provide that, once elected, a person is to be always eligible to the office, and the same intent is shown by the amendment, and hence a former holding of the office, whether before or after the amendment, is a sufficient qualification.—Attorney-General *v.* Lewis, 114 N. W., 927; 14 Detroit Leg. N., 840.

217. **Minnesota**: Amending secs. 5 and 6, chap. 289, Laws, 1903, relative to the reorganization of school districts in cities having a population of 10,000 inhabitants or less, in which the city council or common council performs the duties of a board of education.

Providing that school inspectors shall be elected at the same time and in the same manner as city officers.

Authorizing board of inspectors to employ and compensate clerks, physicians, attorneys, truant officers, etc.

Chap. 50, Mar. 16, 1907.

218. **Minnesota**: Amending sec. 1328, Revised Laws, 1905, relative to school district treasurers' bonds.

Requiring that treasurer's bond be in a sum equal to twice the amount that will probably come into his hands *during any one year;* excepting bonds furnished by surety companies, which shall be equal to the probable amount of money.

Chap. 95, Apr. 4, 1907.

219. **Minnesota**: Providing for an inspector of the books, papers, accounts, bills, vouchers, and other documents or property of townships, villages, cities, and school districts in counties having at any time a population of more than 100,000 and an area of more than 5,000 square miles.

Prescribing method of appointment, qualifications, compensation, powers, and duties of such "public examiner."

Chap. 131, Apr. 9, 1907.

220. **Minnesota**: Providing for the examination of the books of accounts and all records of township, village, and school district officers throughout the State.

Prescribing annual examination by public examiner. Providing for reports and compensation of examiner.

Chap. 344, Apr. 23, 1907.

221. **Minnesota**: Amending sec. 1330, Revised Laws, 1905, relative to chairman of school board.

Authorizing chairman to draw orders in the absence, inability, or refusal of the clerk. Office of clerk may be declared vacant.

Sec. 3, chap. 445, Apr. 25, 1907.

D 222. **Minnesota** (1905): Laws, 1906, p. 459, chap. 289, providing that in cities containing 10,000 inhabitants or less, where the city council acts as a board of education, it may be relieved from its duties and a board of school inspectors elected, is not unconstitutional, as special legislation in violation of Constitution, art. 4, secs. 33, 34, in that the classification as adopted is arbitrary and founded on no substantial distinction, and is an attempt to regulate the internal affairs of a single school district.—State *v.* Henderson, 106 N. W. 348, 97 Minn., 369.

223. **Missouri**: *See enactment No. 843.* (Extending tenure of office of city superintendents and principals.)

224. **Nevada**: Amending sec. 24, act of March 20, 1865 (chap. 145, Statutes, 1865—as amended; sec. 1293, Compiled Laws, 1900), relative to board of school district trustees.

Modifying organization by providing for the election of a president. Increasing compensation of clerk.

Chap. 160, Mar. 29, 1907.

225. **New Hampshire**: Relating to the time of the election of the superintendent of schools in the city of Portsmouth. (Amending chap. 203. Laws 1885.)

Election to be held in May instead of in July.

Chap. 176, Feb. 5, 1907.

226. **New Jersey**: Amending secs. 85 and 91, chap. 1, Acts, 1903 (sp. sess., Oct. 15), relative to boards of education.

Providing that boards of education shall organize on the first Monday in April instead of within ten days of the annual meeting; for the appointment and compensation of district clerks, requiring district clerk to give a bond; and prescribing additional duties.

Chap. 119, May 7, 1907.

227. **New Jersey**: Amending sec. 73, chap. 1, Acts, 1903 (sp. sess., Oct. 15), relative to boards of school estimate.

Adding provision regarding the filling of vacancies.

Chap. 276, Oct. 28, 1907.

D 228. **New Jersey** (1906): The provisions of P. L., 1904, sp. sess., p. 21, sec. 53, requiring a municipal board of education to award contracts for school supplies to the lowest responsible bidder, limits the power of the board, which must make the award to such bidder.—Jacobson *v.* Board of Education of City of Elizabeth, 64 A., 609.

229. **New York**: Amending secs. 174–183, chap. 26, Laws, 1885, as amended by sec. 16, chap. 368, Laws, 1887, as amended by chap. 18, Laws, 1889, as amended by sec. 5, chap. 626, Laws, 1892, as amended by chaps. 524 and 531, Laws, 1893, as amended by secs. 23–27, chap. 950, Laws, 1895, as amended by chap. 752, Laws, 1897, and as amended by chap. 48, Laws, 1898, providing for a department of public instruction in the city of Syracuse.

"SEC. 1. A department of public instruction in and for the city of Syracuse is hereby established. There shall be a board of education, composed of seven members, to be called commissioners of education, who shall be elected by the electors of the city at large. Said board shall be the head of the department of public instruction, and the representative of the school system of the city in its entirety. The terms of office of said commissioners shall be four years, to commence January first following their election. The first commissioners of education shall be those holding office at the time this act takes effect, and who shall continue to hold their offices until the expiration of the terms for which they were severally elected. Their successors shall be elected at the biennial city election next preceding the expiration of their respective terms of office, in the same manner as other city officers. Said commissioners shall serve without compensation.

"SEC. 2. The board shall appoint one of its members president, who shall exercise all of the powers usually incident to such office. It shall appoint, to hold office for a term of four years, unless sooner removed, a clerk who shall perform the duties hereinafter specified and shall receive such compensation for his services as shall be determined by the board of estimate and apportionment. It shall also appoint to hold office for a term of four years, unless sooner removed, a suitable person, to be superintendent of schools, who shall exercise the powers and discharge the duties hereinafter defined, and shall receive such compensation for his services as the board of estimate and apportionment may determine. It may also appoint a superintendent of repairs, and such other subordinates, including principals, teachers, attendance or truant officers, and janitors or custodians of schools as the public school system of the city may require, and, subject to the approval of the board of estimate and apportionment, shall fix and determine the salaries or compensation of all such officers, and subordinates within the appropriation made therefor. The present officers, appointees and employees of the board of education shall continue to hold their respective offices during the terms for which they have been respectively appointed. All appropriations of public moneys made for the payment of salaries and compensation of officers and subordinates of the department of public instruction shall be paid monthly, after certification by the president of the board of education, by the city treasurer upon the warrant of the city comptroller, in the same manner as the salaries of the other city

officers. The commissioners and subordinates shall be deemed to be city officers of the city, and shall be subject to all the provisions of law applicable to such city officers.

"SEC. 3. The superintendent of schools and the clerk shall each, before entering upon the discharge of the duties of his office, execute and file with the city clerk an official undertaking conditioned upon the faithful discharge of the duties of his office, in such sum as shall be prescribed by the common council; such undertakings to be approved as to form and validity by the corporation counsel, and as to the sufficiency of the sureties by the mayor.

"SEC. 4. The board of education shall have the sole and exclusive government, management, care and control of the public school system of the city, subject only to the general statutes of the State relative to public schools and public school instruction not inconsistent with the provisions of this act. It shall have the sole and exclusive care, custody, control, management and safe keeping of all property owned or used for school purposes. It shall have full power and authority to approve all plans for new school buildings; to make rules and regulations for the government of the schools; prescribe courses of study and text-books; provide the schools with necessary apparatus, equipment, furniture and supplies; supply the requisite text-books and stationery for the use of the pupils, when required by law; exchange old text-books for new; change the grades of schools and classes therein; discontinue or consolidate schools and classes therein, and establish new schools; license and fix standards of qualification as necessary requirements for service of all principals and teachers in the schools, which requirements may be higher, but not lower, than the minimum qualifications required by the general laws of the state; assign and transfer principals, teachers and pupils to schools and from one school to another, and provide for the graduation of all pupils from all grades of schools; allow teachers extra pay for extra work, and employ and fix the compensation of such extra teachers as may be required, within the appropriation made for teachers' wages; prescribe rules and regulations for the admission of nonresident pupils to the schools of the city and fix the tuition to be paid therefor; and shall have all the powers and discharge all the duties conferred or imposed by law upon commissioners of common schools and trustees of the several school districts of the State, so far as the same are applicable to the schools of the city and are not inconsistent with the provisions of this act. In the execution of the powers and authority vested in it the board may establish such rules and regulations as it may deem necessary for the promotion of the welfare and best interests of the public schools and the public school system of the city. The board shall administer all moneys appropriated or available for educational purposes, provided that all purchases or expenditures made, or expenses or indebtedness incurred by said board, or in said department, shall be made, audited and paid in the same manner and subject to the same conditions and limitations as are provided by law for expenditures made by other city departments. The enumeration of specific powers herein shall not be deemed to exclude or limit the exercise of powers not so enumerated.

"SEC. 5. It shall be the duty of the superintendent of schools, under the general supervision and direction of the board of education, to visit the several schools of the city at frequent intervals; to inquire into the character of the instruction, management and discipline; to advise and encourage the pupils and teachers; to enforce the rules and regulations of the board of education; to maintain and enforce proper discipline in the management and conduct of the schools, and in connection therewith may suspend any pupil alleged to be guilty of misconduct or insubordination, and may likewise suspend any teacher, principal or employee, but shall immediately report such discipline with his reasons therefor to the board of education; to report to the board of education any inefficiency or misconduct on the part of principals, teachers and employees; to supervise the enforcement of the compulsory education law and direct truant officers in the discharge of their duties; to have charge of the school libraries; and to perform such other duties as shall be prescribed by or delegated to him by the board of education.

"SEC. 6. The clerk shall keep all records of the board and shall have charge, custody and control of the rooms, books, papers, documents and records of the department and shall perform such other duties as shall be required by the board of education. He is hereby authorized to administer oaths and take affidavits in all matters appertaining to the schools or school system of the city and for that purpose shall possess all the powers of a commissioner of deeds but shall not be entitled to any of the fees or emoluments thereof.

"SEC. 7. The superintendent of repairs shall, under the direction of the board, have charge of keeping in repair the school buildings, school furniture and equipment, heating and other apparatus and appliances for carrying on school work; and for such purposes may, subject to the approval of the board, and within the appropriation made therefor, employ such assistants as may be necessary.

"SEC. 8. The salaries of all principals and teachers shall be regulated so far as practicable, according to merit, grade of class taught, length of service in teaching or by a combination of these considerations, in accordance with a uniform of [a] schedule.

"SEC. 9. The board of education shall be the sole trustee of the several school libraries in said city. It shall provide for the safe-keeping of the same and all the provisions of law relative to district school libraries shall be applicable thereto. It shall be vested with the same discretion as to the disposition of all moneys appropriated by any laws of the state for the purchase of school libraries as is conferred by law upon the inhabitants of school districts.

"SEC. 10. All appointments to positions of teachers in the public schools of the city, except principals and vice principals of schools, heads of departments of high schools, and special teachers of drawing, music, physical culture, writing, sloyd, stenography and domestic science, shall be made from a merit list to be ascertained and established in accordance with such rules and regulations as the board of education shall prescribe. The applicants on said list shall be graded and classified according to a combination of qualifications which shall include scholarship, ability to teach, experience and ability in school and class room discipline and management, and general merit and fitness. No person shall be appointed to the position of principal of a high school or of a grammar school, or teacher in a high school who is not a graduate of a normal school, college or university recognized by the regents of the university of the State of New York, and has not had at least two years' successful experience in teaching, and no person shall be appointed as teacher in a grammar school or kindergarten who is not a graduate of a normal school or who has not pursued a course in pedagogy in a state training school for at least one year. The provisions of this section as to qualifications or eligibility shall not apply to any principal or teacher now in the employ of the city.

"SEC. 11. Text-books shall be furnished free of expense to all the pupils of the common schools of said city of all grades below that of high school. Such books shall be and remain the property of the city and the board of education shall provide for the care and preservation of the same. No text-book of which any officer or subordinate of the department is the author, or in the publication or sale of which any such officer or subordinate is in any way interested, shall be adopted for use in any of the schools of the city unless the same shall have been adopted and shall be in use in the public schools of at least five other cities of the state.

"SEC. 12. Whenever the city clerk shall receive notice from the state commissioner of education of the amount of moneys apportioned to said city for the support and encouragement of common schools therein he shall immediately lay the same before the city comptroller and treasurer and the treasurer shall apply for and receive the moneys apportioned to the said city as soon as the same become payable and place the same in the city treasury and the same shall be applicable for the reduction of general taxation.

"SEC. 13. The commissioner of public works shall have the power, when authorized so to do by the board of estimate and apportionment

[a] So in the original.

for, on behalf of and in the name of the city of Syracuse to acquire by purchase or condemnation or to lease such real property as may be required for school purposes; to superintend the planning and construction of new school buildings; and to dispose of such real property owned and used for school purposes as shall no longer be required therefor. No school building or addition to a school building shall hereafter be erected until the plans, specifications and detailed drawings for the same shall have been approved by the superintendent of public works and board of education and their respective approvals endorsed thereon. Such plans and specifications shall show in detail the ventilation, heating, lighting, plumbing and sanitary arrangements of such buildings. No plan or specifications for the erection of any school building or addition to a school building shall be approved unless the same shall provide at least fifteen square feet of floor space and two hundred cubic feet of air space for each pupil to be accommodated in each study or recitation room therein, nor unless provision be made therein for assuring at least thirty feet of pure air every minute per pupil and the facilities for exhausting foul or vitiated air therefrom shall be positive and independent of atmospheric changes. All such school buildings shall have at least two separate and distinct stairways located as far remote from each other as practicable. All stairs, stairways and stair halls shall be constructed of absolutely fireproof material. All stairways and stair halls shall be enclosed on all sides with walls of solid masonry, self supported and carried from the foundations. All doorways opening therein shall be protected by fire doors and all window openings, except from the outside, shall have fireproof or wired glass set in metallic frames. All halls, doors, stairways, seats, passageways and aisles, and all lighting and heating appliances and apparatus shall be so arranged as to facilitate egress in case of fire or accident, and to afford the requisite and proper accommodations for public protection in such cases. Existing school buildings shall, as far as practicable, be improved so as to comply with the foregoing requirements.

"SEC. 14. This act is intended to be and shall be deemed and held in all courts and jurisdictions to be a public act, of which the courts shall take judicial notice. This act shall be construed not as an act in derogation of the powers of the State, but as one intended to aid the State in the execution of its duties, and shall be liberally construed so as to carry into effect the objects and purposes hereof."

SEC. 15. Saving clause.

SEC. 16. Construction of provisions.

SEC. 17. Laws repealed.

Consolidates previous sundry provisions and modernizes powers and duties of boards of education in accordance with the needs of the city school system.

Chap. 543, June 21, 1907.

230. **New York**: Reenacting with amendments the charter of the city of Rochester (secs. 381–382, art. 14, Education).

Chap. 755, July 25, 1907.

231. **New York**: Amending the charter of the city of Buffalo relative to the board of examiners in the department of public instruction in such city.

Chap. 336, May, 1908.

232. **New York**: Providing for a department of public instruction in the city of Schenectady.

Chap. 481, May, 1908.

D 233. **New York** (1905): Plaintiff's principal made an official report to the city school superintendent that plaintiff was "careless" in blackboard work, and thereafter such superintendent, in replying to the letter written to him by W. at plaintiff's request and in her interest, calling attention to alleged conflict between such report and one made shortly before by the same principal, stated that he never had any doubt that the principal's estimate of plaintiff was "pretty nearly correct." *Held*, that such reports were not libelous per se. Walker *v.* Best, 95 N. Y. S., 151, 107 App. Div., 304.

234. **North Carolina:** Amending sec. 4029, chap. 85, Revisal, 1905, relative to application of chapter on education.

Requiring the superintendents and the treasurers of all district schools receiving any part of the public school fund to make reports to the state superintendent and county superintendent.

Sec. 1a, chap. 835, Mar. 9, 1907.

235. **North Dakota:** Amending sec. 819, Revised Codes, 1905, relative to the powers of district school boards.

Providing that no relative of any member of a board shall be employed without unanimous consent of the board.

Sec. 4, chap. 95, Mar. 19, 1907.

236*. **Ohio:** Providing for the expenses of members of boards of education in school districts of the State.

"SEC. 1. That a service fund for members of the board of education of any city school district be authorized and that it be operated as follows:

"Upon the passage of this act and upon the third Monday of every January thereafter the clerk of the board of education shall certify to the board of education of which he is clerk, the number of pupils enrolled in the public schools of that district, whereupon the board of said city school district may by resolution set aside from the contingent fund a sum not to exceed five cents for each child so enrolled, said sum of money to be known as the 'service fund' to be used only in paying the expenses of said members actually incurred in the performance of their duties; such payments to be made only on statement of the several members furnished at the last meeting held in each month."

S. B. 305, p. 322, May 9, 1908.

237. **Ohio:** Repealing and reenacting with minor amendments sec. 3897, Revised Statutes (1905), as amended April 25, 1904 (S. B. 57, p. 338, Laws, 1904), relative to boards of education in city school districts.

S. B. 455, p. 585, May 20, 1908.

238. **Ohio:** Amending sec. 1, H. B. 44, p. 120, Laws, 1906, providing for the release and discharge of county, city, village, and school district treasurers and their sureties in certain cases.

S. B. 546, p. 388, May 9, 1908.

239*. **Ohio:** Repealing, and reenacting with amendments, sec. 3920, Revised Statutes (1905), as amended April 25, 1904 (S. B. 57, p. 342, Laws, 1904), relative to the organization of township boards of education.

Providing for compensation of members of boards—"two dollars, for each meeting actually attended, for not more than ten meetings in any year."

H. B. 678, p. 105, Apr. 15, 1908.

240. **Ohio:** Repealing, and reenacting with amendments, sec. 3969, Revised Statutes (1905), relative to the action of the county commissioners when a board of education fails to provide proper school facilities.

Proper school facilities to include the continuance of school for thirty-two weeks (formerly seven months). Adding the payment of teachers' salaries, the payment of money needed in school administration, and the filling of vacancies in board within thirty days, to list of the duties of boards of education.

H. B. 1003 (in part), p. 51, Mar. 31, 1908.

241. **Ohio:** Repealing, and reenacting with amendments, sec. 3981, Revised Statutes (1905), relative to vacancies in boards of education.

Constituting absence from meetings of board for ninety days cause for declaring vacancy.

H. B. 1003 (in part), p. 51, Mar. 31, 1908.

242. **Ohio**: Repealing, and reenacting with amendments, sec. 2834b, Revised Statutes (1905), relative to restrictions as to contracts, agreements, obligations, appropriations, and expenditures.

Striking out provisions excepting boards of education in cities of the first class, of first, second, or third grade, from operation of section.

H. B. 1279, p. 520, May 9, 1908.

D 243. **Ohio** (1904): Rev. Stat., sec. 4105, providing that the administration of all estates or funds given or transferred in trust to any municipality for the promotion of education and accepted by the council, and any institution for the promotion of education heretofore or hereafter so founded, other than a university as defined by such act, shall be committed to the board of education of the school district including such municipality, did not authorize the transfer from the trustees appointed by the mayor of **Toledo** of the control of the property of the Toledo University to the board of education.—State *v.* City of Toledo, 26 Ohio Cir. Ct., R. 628.

D 244. **Ohio** (1907): Rev. Stat., sec. 3986, empowering the board of education of any school district to make and enforce such rules and regulations to secure the vaccination of, and to prevent the spread of smallpox among, the pupils attending, or eligible to attend, the schools of the district, as in its opinion the safety and interests of the public require, is not repugnant to the constitution of this State, nor violative of the Fourteenth amendment of the Constitution of the United States, and under the power thereby conferred a board of education may exclude from the public schools children who have not been vaccinated.—(1907) State *v.* Board of Education of Village of Barberton, 81 N. E., 568; 76 Ohio Stat. 297, affirming judgment (1905) 29 Ohio Cir. Ct. R., 375.

245. **Oklahoma**: Providing for boards of education in cities of the first class holding over until the next regular election, and defining their powers and duties.

Chap. 12, S. B. 114, p. 187, Apr. 11, 1908.

246. **Pennsylvania**: Prohibiting the board of directors or controllers of any school district from taking by condemnation or otherwise for public school purposes, without the owner's consent, any land owned and used by any church, religious society, college, or educational institution.

Act No. 99, Apr. 25, 1907.

247. **Pennsylvania**: Repealing No. 17, Laws, 1850, relative to the establishment, maintenance, management, and nature of the public schools of the city of Lancaster.

Act. No. 158, May 14, 1907.

248. **Pennsylvania**: Amending sec. 50, No. 610, acts, 1854, regulating and continuing the system of education by common schools.

Excluding the exception whereby the common schools of the city of Lancaster are exempted from said act.

Act No. 245, May 31, 1907.

249*. **Rhode Island**: Amending, by adding to chap. 1101, Public Laws, relative to the better management of the public schools of the State.

Superintendents of schools to hold certificates of qualification issued by state board of education.

Chap. 1560, May 1, 1908.

D 250. **Rhode Island** (1906): Under Pub. Laws, 1902, p. 67, chap. 989, sec. 1, providing that the school committee of each town shall elect a superintendent of schools thereof at the first regular meeting of the committee succeeding the annual election thereof, and Gen. Laws, 1896, chap. 26, sec. 8, declaring that the word "town" shall include a city, the school committee of a city consisting of three members, one elected at the November election of each year for a term beginning in January fol-

lowing, can not elect a superintendent to serve under the committee as it will be constituted after the election in November, though the committee from the time of the adoption of the charter, requiring an annual election of a superintendent, had elected a superintendent at any time during the year at its discretion.—In re School Committee of Pawtucket, 65 A. 301, 27 R. I. 596.

251. **South Carolina:** Providing for annual reports by the city board of school commissioners of Charleston.

Requiring annual report to be submitted to general assembly and to mayor of city.

Act No. 605, Feb. 24, 1908.

252. **South Dakota:** *See enactment No. 100.*

253. **South Dakota:** Providing for the incorporation of cities under commission.

Creating a class of cities entitled "Cities under commission," to be governed according to the so-called "commission" plan. Secs. 116, 117, and 125–134 provide for the educational organization of such cities as independent school districts, to be governed by general laws applicable to such districts except as otherwise provided.

Providing for the election of a board of education of five members, one of whom to be elected annually for a term of five years. Prescribing powers and duties of the board of education, particularly with reference to its finance.

Chap. 86, Mar. 12, 1907.

254. **South Dakota:** Relating to public schools in cities, towns, and adjacent territory, organized as independent school districts.

Providing for adoption of article by voters, for the constitution, election, organization, powers, and duties of boards of education.

Art. XI, chap. 135, Mar. 13, 1907.

255. **South Dakota:** Relating to the organization and government of independent school districts.

Art. XVII, chap. 135, Mar. 13, 1907.

256. **Tennessee:** Amending chap. 17, acts, 1883, as amended by chap. 59, acts, 1891, providing for the more efficient management of the public schools and taxing districts where there is an incorporated system of public schools.

Increasing the maximum annual compensation of school commissioners from $200 to $480; of the president of the board from $500 to $600. Providing for a maximum annual compensation of $600 for the chairman of the committee on buildings and grounds.

Providing that the tax levied for school purposes shall be a special tax, not to be embraced within any limitation of the taxing power.

Increasing maximum annual salary of superintendent of schools from $2,500 to $3,600.

Chap. 87, Feb. 15, 1907.

257. **Tennessee:** Repealing chap. 8, acts, 1885 (sp. sess.), relative to the incorporation of the city of Knoxville, and all acts amendatory to said act and all laws relative to the charter of the city of Knoxville.

Chap. 206, Apr. 1, 1907.

258. **Tennessee:** Incorporating the city of Knoxville and defining the rights, powers, and liabilities of the same.

Fixing maximum tax levy for municipal purposes, including schools, at 1¼ per cent (sec. 21). Authorizing special school tax of 10 cents on each $100 of assessed valuation, under conditions imposed by chap. 254, Acts, 1899 (sec. 25).

Providing for a board of education of five members, to be elected, each for five years, by the board of mayor and aldermen. Continuing members of existing board (secs. 60–63).

Chap. 207, Apr. 1, 1907.

259. **Tennessee**: Amending sec. 12, chap. 204, acts, 1899, relative to boards of education in cities having a population of thirty-six thousand and upward according to the Federal census of 1880.

Five instead of seven members of board to constitute a quorum. Prescribing certain powers and duties of boards of education, and defining the relationship of any such board to the city council with reference to the control of the public schools. Applies to city of Nashville.

Chap. 400, Apr. 12, 1907.

D 260. **Tennessee** (1907): Act of March 27, 1907, acts, 1907, p. 564, chap. 184, art. 1, sec. 3, empowering the city of Memphis to establish and maintain public schools, is not as to that provision unconstitutional.—Malone *v.* Williams, 103 S. W., 798, 118 Tenn., 390.

261. **Texas**: Amending in sundry particulars chap. 128, Laws, 1903, providing for the incorporation of the San Antonio board of trustees, as amended by chap. 96, Laws, 1905.

Special Laws, chap. 29, Mar. 19, 1907.

262. **Texas**: Granting a new charter to the city of Dallas.

Providing for taxation for school purposes, art. 2, sec. 2, par. 2, p. 574. Providing for the organization of the board of education and defining its powers and duties, art. 5 (pp. 608-610).

Special Laws, chap. 71, Apr. 13, 1907.

263. **Texas**: Amending sec. 93, chap. 124, Acts, 1905, relating to duties and qualifications of school trustees.

Striking out provisions concerning white and colored trustees. Prescribing qualifications for trustees, and providing for procedure for removal from office.

Chap. 106, Apr. 16, 1907.

264. **Utah**: Amending sec. 1899, Revised Statutes, 1898, relative to the board of education in cities of the first and second class.

Providing for the filling of vacancies by the mayor and council when board of education fails to do so within thirty days.

Chap. 134, Mar. 23, 1907.

265. **Vermont**: Repealing, and reenacting with numerous amendments, secs. 622, 623, 624, 625, Public Statutes, 1894, relative to supervision of schools of two or more towns.

Defining in greater detail the conditions and methods for the union of towns for the purpose of employing a superintendent of schools. Proportion of state aid increased. Qualifications, powers, and duties of superintendent defined. Special provision for Grand Isle County.

Act No. 45, Nov. 7, 1906. (Apr. 1, 1907.)

266. **Vermont**: Providing for the punishment of public officers for neglect of duty.

Penalty of a fine of not more than $1,000, imprisonment for not more than a year, or both. Includes school district officers.

Act No. 190, Dec. 14, 1906.

267. **Vermont**: Amending charter of city of Burlington as approved by act No. 98, Acts, 1864, amended, reenacted, and approved by act No. 255, acts, 1872, and act No. 148, acts, 1896.

Changing term of school commissioners from two to three years, and providing for the election by wards of two each year; increasing number of elected members from five to six. Superintendent of schools no longer to be ex officio member and president of board. Providing for appointment of truant officer.

Secs. 4, 155–171, act No. 261, Dec. 15, 1906. (Jan. 1, 1907.)

268. **Vermont**: Amending act No. 110, acts, 1892, as amended by sundry successive acts relative to the charter of the city of Rutland.

Secs. 211–228 relate to schools. School commissioners hereafter to be elected at large instead of by wards. Provision for appointment of truant officers.

Secs. 211–228, act No. 280, Dec. 19, 1906. (Feb. 6, 1907.)

269. **Virginia**: Amending and reenacting sec. 1459, Code, 1904, relative to eligibility to office of district school trustees.

Making deputies of federal, state, and county officers ineligible. Adding certain minor officers to the list of exceptions.

Chap. 147, Mar. 5, 1908.

270. **Virginia**: Amending and reenacting sec. 1526, Code, 1904, relative to the jurisdiction and powers of school boards in cities and to the clerks of said boards.

Extending provisions of section to towns constituting separate school districts. Salary of clerk to be fixed by board.

Chap. 153, Mar. 10, 1908.

271. **Virginia**: Amending and reenacting sec. 1485, Code, 1904, relative to penalties for failure of county treasurer or district school clerks to make annual reports to county board.

Increasing fine from $5 to $25. No remission of fines imposed unless such is approved by the state board of education.

Chap. 309 (in part), Mar. 14, 1908.

272. **Virginia**: Amending and reenacting act of May 21, 1887 (sec. 1466a, Code, 1904), relative to the sale or exchange of public-school property by county or city school boards.

Extending provisions of act to district school boards.

Chap. 350, Mar. 14, 1908.

273. **Virginia**: Repealing secs. 1468 and 1500, Code, 1904, relative to the corporate powers and designation of school districts.

Duplicate of sec. 1482, Code.

Chap. 396, Mar. 16, 1908.

274. **Washington**: Amending secs. 75, 78, 89, 97, and 98, chap. 118 (Code of Public Instruction), Laws, 1897, relating to schools in cities of 10,000 inhabitants and over.

Vesting board of directors of districts regularly employing 40 or more teachers with same powers and duties as boards of such cities. Provisions concerning elections and registration of voters. Fixing graduated limit of expenditures by boards of directors for sites and buildings. Boards by unanimous vote may fix tax not exceeding 2 per cent for all school purposes.

Chap. 31, Feb. 21, 1907.

275. **Washington**: Amending sec. 165 (Code of Public Instruction), relative to failure of school officers to deliver property.

Providing for the disposition of fines inflicted.

Sec. 16, chap. 240, Mar. 18, 1907.

276. **West Virginia**: Amending and reenacting and reducing to one the several acts creating the Parkersburg independent school district.

Providing for board of education; election, qualifications, salary, officers, powers and duties, tax levies; superintendents and teachers.

Chap. 6, Mar. 6, 1907. (Sp. sess.)

277. **West Virginia:** Amending and reenacting sec. 6, chap. 45, Code, 1906, relative to the salaries of teachers and the compensation of the members of the boards of education.

Raising minimum monthly salary limit for the holders of different grades of certificates; grade one, from $35 to $40; grade two, from $30 to $35; grade three, from $25 to $30.

Increasing compensation of members of boards of education from $1.50 to $2.50 for not to exceed ten days for any one year in case of commissioners, and fifteen days in case of the president.

(Not approved by the governor.)

Chap. 26, Feb. 18, 1908.

278. **Wisconsin:** Amending subdiv. 18, sec. 430, Statutes, 1898, relative to salaries of school-district treasurers.

Authorizing compensation to treasurer and director in addition to clerk.

Chap. 71, May 3, 1907.

279. **Wisconsin:** Amending in a minor manner sec. 463, Statutes, 1898, relative to the annual report of town clerks to the county superintendent.

Chap. 185, June 6, 1907.

280. **Wisconsin:** Amending sec. 1, chap. 421, Laws, 1905, by adding thereto subdiv. 1m, relative to school-district boards. (Sec. 493b, Statutes, 1898.)

Prescribing procedure for increase in number of members of a school board to seven.

Chap. 198, June 12, 1907.

281. **Wisconsin:** Adding subdiv. 1a to and amending sec. 467, Statutes, 1898, relating to duties of town clerks.

Chap. 322, June 21, 1907.

282. **Wisconsin:** Amending sec. 462a, Statutes, 1898, relative to duties of school-district clerks with respect to annual school-district reports.

Chap. 441, June 27, 1907.

283. **Wisconsin:** Relating to school boards and common and high schools in cities of the first class. (Milwaukee.)

Chap. 459, June 29, 1907.

284. **Wisconsin:** Repealing and reenacting sec. 925—113, Statutes, 1898, relative to the election or appointment of boards of education in cities under general charter law.

Providing conditions for reorganization of school system of reincorporated cities; special elections.

Chap. 480, July 9, 1907.

285. **Wisconsin:** Adding sec. 430n to Statutes, 1898, relative to the powers of the electors of school districts.

Authorizing school district with a board of seven members to vote to return to the district system of school government with board of three members. Procedure.

Chap. 588 (in part), July 12, 1907.

D 286. **Wisconsin** (1907): Where a city of the third class, operating under a special charter containing no provisions relating to schools governed by the general statutes relating to public schools, adopts St. 1898, chap. 40a, secs. 925—113 to 925—119, providing for the appointment of boards of education for the management of the schools in cities, the city may maintain mandamus against the school board of a district existing under the general statute to compel it to turn over to the board of education of the city the records and property in its possession as such board.—State *v.* Green, 111 N. W., 519, 131 Wis., 324.

D 287. **Wisconsin** (1907): Laws, 1905, p. 403, chap. 273, sec. 1, provides that the public schools in every city of the first class shall be under the general management and supervision of a board of school directors consisting of twelve members from the city at large, selected as provided in the act. Sec. 3 provides that before a date named the circuit judges of the judicial circuit in which such a city is situated shall meet and appoint twelve members of the board of school directors, to hold their respective offices for the periods therein prescribed. Constitution, art. 13, sec. 9, declares that all city, town, and village officers whose election or appointment is not provided for by the constitution shall be elected by the electors of such cities, towns, and villages, or appointed by such authorities thereof as the legislature shall designate for that purpose. *Held*, that the act was unconstitutional as being in contravention of constitution, art. 13, sec. 9, in that it not only undertook to take from the electors of the city the right to elect members of their school board, but also took from the authorities of the city the right to appoint the members of such board.—State *v.* Lindemann, 111 N. W., 214.

D 288. **Wisconsin** (1907): Laws, 1905, p. 403, chap. 273, relating to school boards and common and high schools in cities of the first class, and providing that the public schools in every city of the first class shall be under the general management and control of a board of school directors, consisting of twelve members from the city at large, selected as provided in the act, is not unconstitutional, as being special legislation.—State *v.* Lindemann, 111 N. W., 214.

289. **Wyoming**: Amending and reenacting secs. 530, 563, and 1192, Revised Statutes, 1899, relating to school districts and levy of school taxes.

Fixing April 13th as end of fiscal year. Changing time for submission of reports of district clerks and county superintendents.

Chap. 15, Feb. 13, 1907.

(e) School Meetings; Elections; Qualifications for Voters.

The enactments classified under this section relate principally to minor and local administrative changes concerning the time and manner of publication of notices of general and special school elections, the conduct of such elections, and the general powers and authority of district school meetings. The definition of the qualifications of women voting at school elections in Vermont (311), the Oregon (D 303) decision as to the right of property owners to vote in school districts, and the Wisconsin (D 313) decision as to the right of women to vote on the proposition to issue bonds for the construction of school buildings, touch matters of more than local significance.

290. **Alabama**: Amending sec. 6, act No. 365, p. 289, Laws, 1903, providing for the redistricting and management of the public schools.

Providing for publication of notices of meetings for election of district trustees, for procedure, for certificate of election, and for contests.

Sec. 1, act No. 358, p. 478, July 17, 1907. (Sec. 1697, Code, 1907.)

291. **Connecticut**: Amending in a minor manner secs. 1795 and 2190, General Statutes, 1902, relative to the notices of town, city, borough, school society, school district, and other meetings.

Chap. 138, June 21, 1907. (July 1, 1907.)

292. **Delaware**: Fixing the time for holding school meetings in Kent County. Meeting to be on first Saturday in June.

Chap. 129, Feb. 25, 1907.

293. **Idaho**: Amending sec. 81, H. B. No. 42, Laws, 1899, establishing and maintaining a system of free schools, as amended by S. B. No. 8, Laws, 1903, relative to election of members of boards of school trustees.

Election to be held on first Tuesday in September, instead of first Monday in September.

S. B. No. 92, p. 316, Mar. 13, 1907.

294. **Idaho**: Amending sec. 42, H. B. No. 42, Laws, 1899, as amended by sec. 1, S. B. No. 98, Laws, 1903, relative to election of boards of school trustees.

To be held on first Saturday in April instead of first Monday in June.

H. B. No. 96, p. 343, Mar. 13, 1907.

295. **Illinois**: Enabling school districts acting under special charters to hold elections for choosing school directors, members of boards of education, and members of boards of school inspectors at the time provided for the election of school directors under the general school law of the State.

Applies especially to Peoria.

S. B. 318, p. 525, Apr. 8, 1907.

296. **Michigan**: Amending sec. 2374, Compiled Laws, 1897, relative to the powers and duties of township officers.

Authorizing annual township meeting by majority vote to increase compensation of officers from a dollar and a half to two dollars per day. (Applies to school inspectors.) Special provisions for supervisor.

Act No. 98, May 22, 1907.

297. **Michigan**: Amending secs. 3, 4, 5, chap. 32, act No. 215, Acts, 1895 (secs. 3340, 3341, 3342, Compiled Laws, 1897), relative to annual election of school trustees in cities.

Requiring said election to be conducted similar to annual township elections (formerly graded school district elections). Notice of elections to be given fifteen (formerly ten) days previous to election. Providing for the appointment of three election commissioners; for the manner of nomination of trustees and the forms of ballot. Trustees, candidates for election, ineligible as inspectors of election. Prescribing qualifications of voters, and authority and duties of inspectors.

Act No. 110, May 22, 1907.

298. **Minnesota**: Fixing the hours during which the polls shall be open for the holding of school elections in certain independent school districts.

From 6 a. m. to 7 p. m. in independent districts containing a population of 50,000 or over.

Chap. 278, Apr. 22, 1907.

D 299. **Montana** (1907): Session Laws, 1907, p. 50, authorizing the establishment of county free high schools on a majority of the votes cast at an election on the proposition favoring the establishment of such a school. *Held*, not in conflict with constitution, art. 9, sec. 2, giving to qualified voters the right to vote on all questions that may be submitted to the vote of the people.—Evers *v.* Hudson, 92 P., 462.

300. **Nebraska**: Repealing, and reenacting with amendments, sec. 7457, Cobbey's Annotated Statutes, Supplement, 1905, relative to fees for election officers.

Prescribing fees for joint county, city, and school elections in counties having a population of over 125,000.

Chap. 4, Feb. 26, 1907.

301. **Ohio**: Repealing, and reenacting with minor amendments, sec. 14 (H. B. 1007, p. 242, Laws, 1894) act of May 15, 1894. Revised Statutes, relative to the conduct of elections to pay the expense of elections.

H. B. 794, p. 84, Apr. 9, 1908.

302. **Oklahoma**: Amending sec. 1, art. 3, chap. 33, Sess. Laws, 1905, and amending sec. 1, art. 3, chap. 72 (73?), Statutes, 1893, relating to annual school meetings and to district officers.

Changing date of annual district meetings from May to June. Special provision for 1908 (July) in order to permit new assessment under constitutional provisions. Defining powers and duties of district boards prior to annual meetings of 1908.

Chap. 34, H. B. 570, p. 398, May 19, 1908.

D 303. **Oregon** (1906): B. & C. Comp. sec. 3386, providing that any citizen who has property in a school district on which he or she is liable to pay a tax shall be entitled to vote at any school district election, is not invalid as prescribing a property qualification in contravention of Const. art. 2, sec. 2, defining the qualifications of voters, it not applying to school district elections.—Setterlum *v.* Keene, 87 P. 763, 48 Or., 520.

304. **Pennsylvania**: Repealing sec. 2, act No. 17, Laws, 1850, as supplemented and amended by act No. 289, acts, 1868, relative to the time and manner of electing school directors in the city of Lancaster, and defining the qualifications of voters for the same.

Act. No. 159, May 14, 1907.

305. **Pennsylvania**: Supplementing act No. 3, acts, 1903, relative to school districts in townships, and boroughs created therefrom.

Providing manner of certifying and returning votes cast in such districts.

Act No. 178, May 23, 1907.

306. **South Carolina**: *See enactment No. 658.*

307. **South Dakota**: Prescribing the qualifications of voters in school districts situated in two counties.

Chap. 141, Feb. 20, 1907.

308. **Tennessee**: Amending sec. 2, chap. 17, acts, 1883, providing for a more efficient management of public schools and taxing districts where there is an incorporated system of public schools.

Changing time for the election of school commissioners from January to November.

Chap. 376, Apr. 11, 1907.

D 309. **Texas** (1908): If at an election to determine whether territory embracing parts of different counties should be incorporated as an independent school district, under act of 1st sess., twenty-seventh legislature, sec. 2 (Laws, 1901), p. 29, chap. 15, or at an election after incorporation to determine whether bonds should be issued, polls should have been opened in each county instead of but one, the failure to open polls in each county is without prejudice to taxpayers in a county in which polls were not opened, where it does not appear that, excluding all the votes of those counties in which polls were not opened or counting them against the measures voted on, the result would have been different.—Parks *v.* West, 108 S. W., 466.

310. **Utah**: Amending in a minor manner sec. 1883, Revised Statutes, 1898, relative to elections for district school bonds.

Chap. 141, Mar. 25, 1907.

311. **Vermont**: Amending sec. 704, chap. 36, Public Statutes, 1894, relative to school elections.

Defining more accurately qualifications of women voting at school elections. Must be 21 years of age; may vote at all school elections and hold appointive as well as elective offices.

Sec. 5, act No. 43, Dec. 18, 1906. (Apr. 1, 1907.)

312. **Wisconsin:** Amending sec. 492, Statutes, 1898, as amended by chap. 345, Laws, 1903, as amended by chap. 329, Laws, 1905, relative to the election of free high school district officers.

Chap. 438, June 27, 1907.

D 313. **Wisconsin** (1906): Rev. Stat., 1898, sec. 943, as amended by Laws, 1903, p. 480, chap. 312, provides that no bonds shall be issued by any city until the proposition shall be submitted to the "people" of the municipality, and adopted by a majority voting thereon, and that when any such bond issue is contemplated, a special election for the purpose of submitting such question to the "electors" shall be called and held. *Held*, that the term "electors" referred to all persons legally entitled to vote on the proposition submitted, and therefore did not exclude women from voting on a proposition to issue bonds for the construction of a schoolhouse; such election being an election at which women are authorized to vote, under Rev. Stat., 1898, sec. 428a.—Hall *v.* City of Madison, 107 N. W., 31.

(f) Administrative Units; Districts, Townships, Municipalities, etc.; Formation, Division, Consolidation.

(See Section H, enactments 984–1020.)

The legislative activity relating to the consolidation of school districts was at its height several years ago. Most of the enactments in this direction during the past biennium are amendatory to previous measures, and seek to improve the details of the methods already prescribed so as to remove obstacles, administrative and judicial, that have developed, and to provide for the more complete protection of the interests of the consolidated districts. It has been found more convenient to discuss the more important of these consolidation acts under the head of transportation (Section H, subdivision *e*). Arizona (317) passed a new act relative to the consolidation of school districts. Ohio (348), (349), gave evidence of confidence in her plans for the centralization of rural schools by passing several important amendments to the existing laws upon this subject. The revision of the educational code of West Virginia incorporated a number of very important sections calculated to further the development of consolidation and transportation. The redefinition of depopulated school districts (331), and of partially depopulated school districts (332), in Kansas, is indicative of the tendency to eliminate that class of rural schools containing too small a number of pupils for efficient operation.

The Georgia decision (D 324) as to the operation of the acts of 1905 and 1906 concerning the creation of local tax district schools is of interest to those who are watching the development of the sentiment in the Southern States for increased local support for the common schools.

314. **Alabama:** Amending secs. 16, 19, 20, act No. 365, p. 289, Laws, 1903, providing for the redistricting and management of public schools.

Modifying, in minor manner, method of changing district lines and boundaries. Minor provisions concerning application of act to certain counties and municipalities.

Secs. 4, 6, 7, act. No. 358, p. 478, July 17, 1907. (Secs. 1691–1693, 1701, Code, 1907.)

315. **Arizona**: Amending pars. 2165, 2166, 2167, 2170 (chap. 6, tit. 19, secs. 36, 37, 38, and 41), Revised Statutes, 1901, relative to the creation and rearrangement of school districts in certain cases.

Special provisions concerning the creation of new school districts which shall be coterminous with the boundaries of towns.

Chap. 36, Mar. 14, 1907.

316. **Arizona**: Amending par. 2155 (sec. 26, chap. 4, tit. 19), Revised Statutes, 1901, relative to the formation of new school districts.

Boundaries of school districts may be changed only between July 1 and September 1. Prescribing conditions.

Sec. 17, chap. 67, Mar. 21, 1907. (July 1, 1907.)

317. **Arizona**: Authorizing the consolidation of school districts.

Providing for procedure for consolidation; petition to county superintendent of parents or guardians of majority of school-census children of districts; approval by county superintendent; board of supervisors may then consolidate. Provisions regarding finances of the several districts consolidated, for the appointment of school trustees, etc.

Chap. 88, Mar. 21, 1907.

318. **California**: Amending sec. 1581, Political Code, 1906, relative to the formation of new school districts.

Order of board of supervisors creating new school district null and void unless school is opened not later than second Monday of September following date of order.

Chap. 43, Feb. 28, 1907.

319. **California**: Providing for the change of name of high school districts and union high school districts and the manner of making such change.

Chap. 516, Mar. 23, 1907.

D 320. **California** (1905): A school district is a corporation of quasi municipal character, and, though its territorial limits may be actually coterminous with those of a city, the identity of the school district as a corporate entity is not lost or merged in that of the city.—Los Angeles City School Dist. *v.* Longden, 83 P. 246; Los Angeles City High School Dist. *v.* Same, Id., 248.

321. **Delaware**: Authorizing the county school commissioners to alter, divide, consolidate, or unite school districts for colored people.

Chap. 123, Mar. 29, 1907.

322. **Georgia**: Amending act No. 159, p. 425, acts, 1905, as amended by act No. 549, p. 61, acts, 1906, relative to the creation and operation of local-tax district schools, for the levying and collection of local tax by districts or counties for educational purposes, for the election of school trustees, etc.

Providing for modifications in the boundaries of school districts annually (formerly, biennially); for the right of hearing before grand jury by members of the county board of education charged with neglect of duty; for the election of five trustees in school districts containing incorporated towns; and for local taxation by "any school district."

Act No. 266, p. 100, Aug. 22, 1907.

D 323. **Georgia** (1907): Act of Aug. 22, 1905 (Laws, 1905, p. 469), incorporating a school district in a certain county, is unconstitutional as being a special act, interfering with Pol. Code, 1895, secs. 1338-1408 (Gen. School Law), and a violation of the constitution (Civ. Code, 1895, sec. 5732), providing that laws of a general nature shall have a uniform operation throughout the State, and no special law shall be enacted in any case for which provision has been made by an existing general law.—(1907) Sellers *v.* Cox, 56 S. E., 284, 127 Ga., 246; (1906) Houseworth *v.* Stevens, 56 S. E., 288, 127 Ga., 256.

D 324. **Georgia** (1907): Act of Aug. 23, 1905 (acts, 1905, p. 425), as amended by act of Aug. 21, 1906 (acts, 1906, p. 61), providing for the creation of local-tax district schools, is a valid law of uniform operation, and repeals all laws, general or special, which are so inconsistent that prior laws and the new law can not stand together.—Edalgo *v.* Southern Ry. Co., 58 S. E., 846.

325. **Idaho**: Amending sec. 35, p. 93, Laws, 1899, as amended by sec. 5, p. 220, Laws, 1901 (sec. 1055, Political Code, 1901), as amended by sec. 1, p. 218, Laws, 1905, relative to the formation of school districts.

Vote to change boundaries of an organized district to be taken only at regular April meetings of board of county commissioners (formerly, quarterly meetings); change not to take effect before close of school year.

Districts of less than 9 square miles area may be divided only on the approval of county superintendent and by unanimous vote of board of county commissioners.

Special provisions concerning attendance of pupils upon schools of other districts.

H. B. No. 31, sec. 1, p. 16, Feb. 15, 1907.

326. **Illinois**: Providing for the annexation, for township high-school purposes, of any school township, or part of such township, not having an established township high school, to any adjacent school township having an established township high school.

Prescribing mode of procedure and manner of holding election.

H. B. 285, p. 534, Apr. 22, 1907.

327. **Iowa**: *See enactment No. 682.*

328. **Iowa**: Providing for the consolidation and change of boundaries of school districts in cities of the first class.

Authorizing cities having a population of 50,000 or over to consolidate all the territory into one school district. Providing for procedure before and after consolidation.

Chap. 155, Mar. 13, 1907.

D 329. **Iowa** (1908): The day of a school election falls within the provisions of Code, sec. 2448, par. 9, providing that saloons shall not be open on "any election day."—Hammond *v.* King, 114 N. W., 1062.

The fact that a liquor dealer has been advised by the county attorney, the city attorney, and the chief of police that he may sell liquor on a day prohibited by Code, sec. 2448, par. 9, is no defense to a prosecution for the violation of the section; intent not being an element of the offense.—Hammond *v.* King, 114 N. W., 1062.

330. **Kansas**: Providing for the manner in which territory, outside, but adjacent to, the limits of cities in the first class having a population of not more than 30,000, may be attached to such cities for school purposes.

Territory may be attached by a city board of education upon application of a majority of electors of adjacent territory.

Chap. 31, Jan. 30, 1908.

331. **Kansas**: Repealing, and reenacting with amendment, sec. 6137, General Statutes, 1901 (sec. 4, chap. 135, Laws, 1893), relative to the definition of of a depopulated school district.

Substituting "fewer than five legal voters therein and fewer than seven persons between the ages of five and twenty-one years," for "less than three legal voters."

Chap. 322, Mar. 7, 1907.

332. **Kansas**: Repealing, and reenacting with amendments, sec. 6139, General Statutes, 1901, relative to the definition of a partially depopulated school district.

School districts having less than twelve persons between 5 and 21 years of age, to be deemed partially depopulated (formerly, seven persons).

Chap. 323, Mar. 7, 1907.

333. **Kansas**: Repealing, and reenacting with amendments, sec. 6112, General Statutes, 1901, relative to the formation and alteration of school district boundaries.

Providing that restrictions imposed as to school population and assessed valuation shall not prevent desirable changes in school district boundaries when the proposed alteration of boundaries is approved by the board of county commissioners.

Chap. 329, Mar. 9, 1907.

D 334. **Kansas** (1908): Chap. 244, p. 384, Laws, 1907, purporting to legalize and validate the steps taken in the matter of the disorganization and consolidation of certain school districts, is not a curative or confirmatory act. It is creative in its nature, and attempts to originate a union district from separate districts which it attempts to disorganize.

The statute last referred to is a special act relating to the voluntary disorganization and consolidation of school districts. Under the power conferred upon it by sec. 17 of art. 2 of the constitution, this court decides that a general law can be made applicable to that subject, and therefore that the special act is void.—Gardner et al. *v.* State ex rel. Burch, County Atty., 95 P., 588.

D 335. **Massachusetts** (1908): Rev. Laws, chap. 44, sec. 1, requires children of a certain age to attend school. Petitioner lives on an island, which is a part of defendant town, lying some 4 miles from a larger island upon which the main part of the town is situated, there being no regular means of communication between the two islands, and communication being often difficult or impossible; and the town maintains no school upon petitioner's island, but has upon the main island a sufficient number of schools. Petitioner has five children, of the ages of 24, 19, 17, 12, and 4; owns the greater part of the island on which he resides, and pays taxes thereon; his family being the only one residing thereon, and his children the only ones who would attend the school there, and only one of them being within the compulsory school age. *Held*, that petitioner could not insist, under the circumstances, that the town maintain a school on his island for his sole benefit; he having chosen to establish himself on the island, and only two of his children being under fourteen years of age, and one of those not being of school age.—Davis *v.* Inhabitants of Chilmark. 85 N. E. 107.

336. **Minnesota**: *See enactment No. 468.*

337. **Minnesota**: Amending sec. 1282, Revised Laws, 1905, relative to the formation of school districts.

Providing for approval and disapproval of petitions by county superintendent.

Chap. 110, Apr. 5, 1907.

338. **Minnesota**: Amending sec. 1286, Revised Laws, 1905, relative to change of boundary lines of school districts and the formation of new school districts.

Prescribing procedure for the alteration of the boundaries of school districts containing or contained by any incorporated borough, village, or city.

Chap. 188, Apr. 15, 1907.

339. **Missouri**: Adding sec. 9875a, to art. 2, chap. 154, Revised Statutes, 1899, relative to changes of boundary lines of school districts.

Prescribing procedure. Providing for notices, board of arbitration and record.

H. B. No. 179, p. 426, Mar. 29, 1907.

340. **Montana**: Amending sec. 1770, art. 4, Political Code, 1895, as amended by sub. S. B. No. 56, p. 136, Laws, 1897, and as amended by H. B. No. 63, p. 57, Laws, 1899, relative to the election of school trustees.

Reclassifying districts on the basis of population.

Chap. 69, Mar. 4, 1907.

341. **Nebraska**: Providing for the equitable adjustment of school district boundaries when any school district has only three sections of land or less than three sections.

Chap. 116, Apr. 5, 1907.

342. **Nebraska**: Repealing and amending sec. 5422, chap. 79, Compiled Statutes, 1905 (sec. 11024, Cobbey's Annotated Statutes, 1903), relative to dissolution of school districts.

District must have failed to maintain organization for two consecutive years, in addition to other causes, before dissolution is lawful.

Chap. 117, Mar. 2, 1907.

343. **New Jersey**: Permitting certain boards of education to convey schoolhouses and lands to the boroughs or other municipalties in which they are situate.

Provided the lines of the municipality are coextensive with the lines of the school district.

Chap. 158, May 10, 1907.

344. **New Jersey**: Enabling adjoining municipalities, other than cities, lying in the same county, to consolidate and form a city.

Prescribing procedure, elections, etc. Providing that the term of teachers in service shall be added to the time devoted to teaching under new city government, in all legal computations of the time spent by said teacher in teaching in said new city.

Chap. 178, Apr. 11, 1908.

345. **New York**: Amending chap. 556, Consolidated School Law, 1894, relative to changing school districts.

Chap. 609, July 18, 1907.

346. **North Dakota**: Amending in a minor manner sec. 949, Revised Codes, 1905, relative to attaching adjacent territory for school purposes.

Chap. 106, Mar. 14, 1907.

347. **North Dakota.** Amending secs. 938, 939, 940, 941, 943, Revised Codes, 1905, relative to the creation of special school districts in incorporated cities, towns, and villages, constituting a part of a school district, and to dividing the property and indebtedness of such school districts.

Chap. 223, Mar. 13, 1907.

348. **Ohio**: Repealing, and reenacting with amendments, sec. 3923, Revised Statutes (1905), as amended Apr. 25, 1904 (S. B. 57, p. 344, Laws, 1904), abolishing joint subdistricts.

Providing for control of territory of subdistricts forming a part of two townships, both of which have centralized schools.

H. B. 682, p. 105, Apr. 15, 1908.

349. **Ohio**: Repealing and reenacting with amendments, sec. 3893. Revised Statutes (1905), relative to the annexation of territory to municipalities affecting school districts.

Providing for procedure for transfer of property of annexed territory.

H. B. 938, p. 117, Apr. 15, 1908.

350. **Oklahoma**: Amending sec. 1, art. 1, chap. 33, Laws, 1905, relative to the consolidation of school districts and transportation of pupils to and from school.

Requiring three-fourths vote instead of majority vote to effect consolidation.

Chap. 77, S. B. 237, p. 670, May 2, 1908.

351. **Oregon:** *See enactment No. 1258.*

D 352. **South Carolina** (1907): Constitution, art. 9, sec. 2, providing that no charter of incorporation shall be granted, changed, or amended by special law, relates to private or quasi public corporations, and not to school districts.—State *v.* McCaw, 58 S. E. 145, 77 S. C. 351.

D 353. **Texas** (1908): No express provision of the constitution of the State inhibits the legislature to authorize the incorporation of independent school districts having territory in more than one county, nor can such a limitation be implied from any of its provisions.—Park *v.* West, 108 S. W., 466.

D 354. **Texas** (1908): Under constitution, art. 7, sec. 3, as amended in 1883, providing that the legislature may provide for the formation of school districts within the counties of the State by general or special law, without the local notice required in other cases of special legislation, the legislature has power to create independent school districts without the notice of an intention to apply for the passage of such an act being given, as required by const., art. 3, sec. 57.—Snyder *v.* Baird Independent School Dist., 109 S. W., 472.

355. **Utah:** Relating to cities of the first, second, and third class, providing for the settlement between a school district or a part of a school district and a city when annexed by extension of city limits.

Chap. 56, Mar. 14, 1907.

356. **Vermont:** Providing for the union of town and incorporated school districts.

No. 58, Dec. 12, 1906.

357. **Vermont:** Extending the laws relating to the maintenance of schools in towns to school districts in unorganized towns and gores and to incorporated school districts. Repealing sec. 1, act No. 2, Acts, 1898 (secs. 656, 826, 828, 829, 851, Statutes, 1904).

Act No. 60, Dec. 18, 1906. (Apr. 1, 1907.)

358. **Virginia:** Providing for the organization and government of incorporated communities which have no corporation courts, contain less than 10,000 inhabitants, and are hereafter declared to be cities of the second class.

Constituting such second-class cities as separate school districts, providing for one superintendent of schools for city and county. Manner of levying taxes.

Sec. 15, chap. 2, Jan. 23, 1908.

359. **Virginia:** Amending and reenacting subsec. 2, chap. 240, acts, 1906, as amending sec. 1470, Code, 1904, relative to the division of school districts and subdistricts, etc.

Striking out clauses providing for approval by state superintendent.

Chap. 42, Feb. 15, 1908.

360. **Washington:** Amending sec. 75 (Code of Public Instruction), relative to school districts of cities of 10,000 or more inhabitants.

Providing for annexation of adjacent or contiguous territory. Procedure.

Sec. 17, chap. 240, Mar. 18, 1907.

361. **West Virginia:** Enlarging the boundaries of the independent school district of the city of Charleston.

Providing for special election.

Chap. 17, Feb. 22, 1907.

B. STATE FINANCE AND SUPPORT.

(a) General.

The comparatively large number of enactments relating to finance and support exhibits clearly the continued and increasing importance of the financial aspects of public education. Of the fiscal legislation of a general character, that pertaining to the use of the "Forest Reserve Fund" is most prominent. California (362), Idaho (364), Montana (366), Nebraska (367), Nevada (369), Oregon (374), Pennsylvania (375), Utah (378), Washington (380), and Wyoming (382) provide that a certain proportion of this fund shall go into the public-school fund.

The two decisions, Kentucky (D 365) and Texas (D 377), upon the question of sectarian instruction, and the consequent right of schools to participate in the distribution of public-school funds, are noteworthy additions to the decisions already rendered in a number of States upon this point.

362. **California:** Creating the "United States Forest Reserve Fund" and regulating the manner of apportionment.

Fund to be composed of 10 per cent of moneys received from forest reserves in pursuance of act of Congress June 30, 1906. Fifty per cent of the apportionment received by any county to be placed to the credit of the unapportioned county school fund.

Chap. 277, Mar. 18, 1907.

D 363. **Florida** (1905): The legislature has the power to prescribe what college or colleges shall be the recipient or recipients of the interest on the fund derived from the sale of lands donated by act of Congress July 2, 1862, chap. 130, 12 Stat., 503, for the maintenance of one college at least for instruction in agricultural and mechanic arts.—State *v.* Bryan, 39 So., 929.

364. **Idaho:** Providing for the disposition of the forest reserve funds received and that may be received from the United States, for the benefit of the public schools, and public roads of the counties in which forest reserves are situated.

State treasurer to apportion the distributive share of such funds among the several counties in which such reserves are situated in proportion to the area of such reserve in such county. Twenty-five per cent thereof to be paid to the general school fund of the county for use in the construction, support, and maintenance of public-school houses and schools.

S. B. No. 33, p. 162, Mar. 5, 1907.

D 365. **Kentucky** (1905): A prayer offered at the opening of a public school, imploring the aid and presence of the heavenly Father during the day's work, asking for wisdom, patience, mutual love, and respect, looking forward to a heavenly reunion after death, and concluding in Christ's name, is not sectarian, and does not make the school a "sectarian school," within const., sec. 189, prohibiting the appropriation of educational funds in aid of sectarian schools.—Hackett *v.* Brooksville Graded School Dist., 87 S. W., 702; 27 Ky. Law Rep., 1021; 69 L. R. A., 592.

366. **Montana:** Providing for the distribution among the various counties entitled thereto of the money derived from forest reserves under act of Congress, June 30, 1906.

One-half of amount to go to general school fund.

Chap. 127, Mar. 6, 1907.

367. **Nebraska:** Providing for the distribution of the United States forest reserve fund established under act of Congress, June 30, 1906.

Four-fifths of fund to go to public schools. Prescribing method of distribution and apportionment.

Chap. 143, Mar. 29, 1907.

D 368. **Nebraska** (1908); Under unconstitutional acts of the legislature, the county board levied taxes ostensibly for the high-school district, which the taxpayers voluntarily paid. *Held*, that the taxes may be distributed to the high-school district of the county under the provisions of subsequent legislation.—School Dist. No. 30, Cuming County *v.* Cuming County, 116 N. W., 522.

369. **Nevada:** Providing that 10 per cent of proceeds of fees which issue to the counties from national forest reserves be paid into the county-school fund of the county.

Chap. 191, Mar. 29, 1907.

370. **New Jersey:** Amending sec. 1, chap. 277, Laws, 1907, as amending chap. 235, Laws, 1898 (Revision, 1898), relative to punishment of crimes.

No contract by any State institution or department exceeding $1,000 (formerly $500) without due advertisement and bond, except by state-house commission.

Chap. 23, Mar. 25, 1908.

371. **North Dakota:** Amending secs. 926, 928, and 935, Revised Codes, 1905, relative to deposits of school funds and the interest thereon.

Chap. 103, Mar. 13, 1907.

372. **Oklahoma:** Conferring jurisdiction on the supreme court to hear and determine actions brought to equitably divide and apportion the property, assets, and liabilities between certain counties in the State of Oklahoma, fixing basis of such divisions and apportionment, and providing a penalty for unlawfully withholding money belonging to counties, school districts, municipal townships, cities, and towns, and declaring an emergency.

Chap. 26, S. B. 169, p. 280, Apr. 10, 1908.

373. **Oklahoma:** Providing for and regulating proceedings in cases of escheats of property as enjoined by art. 22, Constitution.

Proceeds of such escheated property to go to public-school fund of county in which situated. Prescribing procedure.

Chap. 32, H. B. 613, p. 387, May 27, 1908.

374. **Oregon:** Providing for disposal of 10 per centum received from the United States Government for forest reserve rentals.

Money to be divided equally between school and road funds.

Chap. 160, Feb. 25, 1907.

375. **Pennsylvania:** Appropriating $80,000 for payment of annual fixed charge for school and land purposes on land held for forest reserves.

According to No. 81, acts, 1905. (See enactment 186, Bureau of Education Bulletin, No. 3, 1906, p. 41.)

376. **South Carolina:** Authorizing state treasurer to receive from the United States Government a certain fund and to hold the same subject to the uses declared by an act of Congress.

Act No. 345, p. 760, Feb. 20, 1907.

D 377. **Texas** (1908) : [a] The holding of certain exercises in the public schools. *Held*, not to violate constitution, art. 1, sec. 7, and art. 7, sec. 5, prohibiting the drawing from the treasury of money for the benefit of sects, religious societies, etc.—Church *v.* Bullock, 109 S. W., 115.

It is the purpose of the constitution to forbid the use of public funds for the support of any particular denomination of religious people, whether they be Christians or of other religions.—*Ibid.*

378. **Utah**: Creating "the county road and school fund from forest reserve," and providing for the apportionment and distribution thereof.

One-half of apportionment to be devoted to school districts.

Chap. 145, Mar. 25, 1907.

D 379. **Virginia** (1907) : Acts 1869–70, p. 165, chap. 122, sec. 10, relating to taxation of the Hampton Normal and Agricultural Institute, *held* only to protect such institution against higher or different taxes than are levied against other educational institutions within the State.—Commonwealth *v.* Trustees of Hampton Normal and Agricultural Institute, 56 S. E., 594.

Land, houses, etc., belonging to an educational institution, rented out to third persons for profit, *held* not used exclusively for educational purposes, within constitution, 1869, art. 10, sec. 3, exempting such property from taxation.—Commonwealth *v.* Trustees of Hampton Normal and Agricultural Institute.—*Ibid.*

380. **Washington**: Providing for distribution and expenditure of moneys received from forest reserves.

To be expended for public schools and roads.

Chap. 185, Mar. 15, 1907.

D 381. **Wisconsin** (1908) : Laws, 1901, p. 234, chap. 188, as amended by Laws, 1903, p. 525, chap. 329, requires a free high school board, if facilities warrant, to permit persons of school age residing in any town or incorporated village not within a free high school district to attend such high school; and Laws, 1903, p. 525, chap. 329, sec. 2, authorizes the board to charge a tuition fee against the city, town, or village from which the person has been admitted, showing the amount of tuition which the "district" is entitled to recover, which amount is to be entered on the tax roll against the part of the town or city not within the high school district from which the tuition is due. *Held*, that such tuition is payable to the high school district in which instruction is afforded, and not to the city containing such district, so that an action to recover the same must be brought by the district, which is a quasi corporation, and not by the city.—City of Columbus *v.* Town of Fountain Prairie, 115 N. W., 111.

382. **Wyoming**: Regulating distribution of funds received out of United States forest reserve fund.

Apportioning fund to counties in proportion to reserve acreage contained, one-half to school districts and one-half for betterment of public roads.

Chap. 7, Feb. 9, 1907.

(b) State School Lands.

The legislation relative to state school lands is characterized by providing for additional safeguards of this endowment of public education so as to prevent as far as possible the dissipation of these lands through the various forms of unwise disposal. North Dakota (397) proposed a constitutional amendment relative to the sale of school lands; Oregon (403), South Dakota (405–408), and Washington (414–417) enacted protective measures.

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[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

The constitutional provisions in Oklahoma (400), and the several enactments with reference to the care of the school lands of that State, have a considerable contemporary interest. In lieu of sections 16 and 36, and other lands in Indian Territory, Congress appropriated to Oklahoma (432) $5,000,000, which sum is diverted to the use and benefit of the public schools of the State.

383. **Iowa**: Repealing secs. 2808 and 2855, Code Supplement, 1902, and secs. 2809 and 2850, Code, 1897, and reenacting substitutes with amendments, relative to the permanent school fund.

Sundry amendments concerning procedure in the sale and resale of school lands; reports by county officials; apportionment of interests and rents; compensation of county auditor.

Chap. 151, Apr. 10, 1907.

384. **Kansas**: Relative to forfeiture of right and interest of certain purchasers in and to school lands, prescribing manner in which such forfeiture may be shown, and limiting time within which actions may be brought by such purchasers to recover such lands, or for the determination of their interest therein.

Chap. 373, Jan. 24, 1907.

385. **Kansas**: Providing for the sale of islands in navigable streams for benefit of permanent school fund.

Chap. 378, Mar. 7, 1907.

386. **Louisiana**: Amending and reenacting sec. 2962, Revised Statutes (1904), relative to leasing of school lands.

Providing for election to determine upon sale of timber or lease of mineral rights. Procedure.

Act No. 129, July 2, 1908.

387. **Louisiana**: Memorializing Congress for a bill granting to the State the public lands of the United States situated in the State, the proceeds of the sale thereof to be used in the support of the common schools.

Act No. 272, July 9, 1908.

388. **Montana**: Relating to selection of indemnity school lands and lands granted to all state institutions of learning and for public buildings in Montana.

No further selections to be made in counties in which State has already selected 100,000 acres or more.

Chap. 50, Feb. 27, 1907.

389. **Nebraska**: Amending sec. 9865, Cobbey's Annotated Statutes, 1903, relative to certificates of purchase of lands heretofore sold, and repealing sec. 9870b, Cobbey's Annotated Statutes, Supplement, 1905.

Fixing rate of interest on sale contracts heretofore issued; providing for the issuance of sale contracts for lands hereafter sold, and fixing rate of interest on same, and providing for interest on interest and rental after due.

Chap. 133, Apr. 5, 1907.

390. **Nebraska**: Repealing, and reenacting with amendments, sec. 9870, Cobbey's Annotated Statutes, Supplement, 1905, relative to the sale of educational lands, and repealing secs. 9870a, 9870b, 9870c, Cobbey's Annotated Statutes, Supplement, 1905 (chap. 144, Laws, 1905).

Sundry amendments relative to whom sales of educational lands may be made.

Chap. 134, Apr. 9, 1907.

391. **Nebraska:** Repealing, and reenacting with amendments, sec. 9872, Cobbey's Annotated Statutes, 1903, relative to taxation of certain public lands.

Providing for taxation of educational and saline lands held on sale contract.

Chap. 135, Apr. 4, 1907.

392. **New Mexico:** Refunding to territorial institutions moneys used for expenses in selection and location of public lands, and providing for payment of future expenses in the selection and location of public lands.

Concerns, among others, Blind Asylum, Military Institute, normal schools, School of Mines, Deaf and Dumb Asylum, Agricultural College, university and common school income fund.

Chap. 79, Mar. 21, 1907.

393. **New Mexico:** Providing for the leasing, sale, management, and control of all lands now owned or hereafter acquired by the Territory; creating a territorial land office, a commissioner thereof, and prescribing the duties of such officer; providing for the care, custody, disposition, and investment of moneys derived from all territorial lands by leasing, sale, or otherwise. Repealing chap. 74, Laws, 1899; chap. 69, Laws, 1901; chaps. 78 and 81, Laws, 1903, and chaps. 90 and 111, Laws, 1905.

Relating to the disposition of revenues derived from land sections 16 and 36, the crediting of the same to the common school fund, and the apportionment and distribution to the several counties.

Secs. 31, 32, and 39, chap. 104, Mar. 21, 1907.

394. **North Dakota:** Authorizing holders of state or school land contracts for lands over which railroads have been or may be located and established subsequent to the issuance of such contracts, to surrender such contracts and obtain new contracts for the land less the rights of way required for such railroad, and providing for the payment to the State of the balance of the purchase price of the land required for such rights of way and the issuance of deeds therefor.

Chap. 225, Mar. 19, 1907.

395. **North Dakota:** Amending sec. 183, Revised Codes, 1905, relative to the surrender of state or school land contracts and the division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Chap. 226, Mar. 19, 1907.

396. **North Dakota:** Amending sec. 182, Revised Codes, 1905, relative to assignee of purchasers of school lands.

Chap. 227, Mar. 8, 1907.

397. **North Dakota:** Agreeing to amendment, proposed by legislature of 1905, to sec. 158 of the constitution relative to the sale of state lands.

Modifying conditions for nullification of contracts for sale for nonpayment of taxes. (Vote Nov., 1908.)

Con. Res., p. 457, Mar. 23, 1907.

398. **Ohio:** Supplementing sec. 1418, Revised Statutes, by adding sec. 1418a, legalizing defects in proceedings for the sale of all lands in sec. 16, and of all lands in any other section in lieu thereof, granted for school purposes, in all townships within the State.

S. B. 472, p. 359, May 9, 1908.

399. **Oklahoma:** *See enactment No. 432.*

400. **Oklahoma**: Constitutional provisions concerning state and school lands (adopted Sept. 17, 1907).

ARTICLE XI.

STATE AND SCHOOL LANDS.

"SECTION 1. The State hereby accepts all grants of land and donations of money made by the United States under the provisions of the enabling act, and any other acts of Congress, for the uses and purposes and upon the conditions, and under the limitations for which the same are granted or donated; and the faith of the State is hereby pledged to preserve such lands and moneys and all moneys derived from the sale of any of said lands as a sacred trust, and to keep the same for the uses and purposes for which they were granted or donated.

"SEC. 2. All proceeds of the sale of public lands that have heretofore been or may be hereafter given by the United States for the use and benefit of the common schools of this State, all such per centum as may be granted by the United States on the sales of public lands, the sum of five million dollars appropriated to the State for the use and benefit of the common schools in lieu of sections sixteen and thirty-six, and other lands of the Indian Territory, the proceeds of all property that shall fall to the State by escheat, the proceeds of all gifts or donations to the State for common schools not otherwise appropriated by the terms of the gifts, and such other appropriations, gifts, or donations as shall be made by the legislature for the benefit of the common schools, shall constitute the permanent school fund, the income from which shall be used for the maintenance of the common schools in the State. The principal shall be deemed a trust fund held by the State, and shall forever remain inviolate. It may be increased, but shall never be diminished. The State shall reimburse said permanent school fund for all losses thereof which may in any manner occur, and no portion of said fund shall be diverted for any other use or purpose.

"SEC. 3. The interest and income of the permanent school fund, the net income from the leasing of public lands which have been or may be granted by the United States to the State for the use and benefit of the common schools, together with any revenues derived from taxes authorized to be levied for such purposes, and any other sums which may be added thereto by law, shall be used and applied each year for the benefit of the common schools of the State, and shall be, for this purpose, apportioned among and between all the several common school districts of the State in proportion to the school population of the several districts, and no part of the fund shall ever be diverted from this purpose, or used for any other purpose than the support and maintenance of common schools for the equal benefit of all the people of the State.

"SEC. 4. All public lands set apart to the State by Congress for charitable, penal, educational, and public building purposes, and all lands taken in lieu thereof, may be sold by the State, under such rules and regulations as the legislature may prescribe, in conformity with the regulations of the enabling act.

"SEC. 5. Section thirteen in every portion of the State, which has been granted to the State, shall be preserved for the use and benefit of the University of Oklahoma and the University Preparatory School, one-third; of the normal schools now established, or hereafter to be established, one-third; and of the Agricultural and Mechanical College and Colored Agricultural and Normal University, one-third. The said lands or the proceeds thereof as above apportioned to be divided between the institutions as the legislature may prescribe: Provided, That the said lands so reserved, or the proceeds of the sale thereof, or of any indemnity lands granted in lieu of section thirteen shall be safely kept or invested and preserved by the State as a trust, which shall never be diminished, but may be added to, and the income thereof, interest, rentals, or otherwise, only shall be used exclusively for the benefit of said educational institutions. Such educational institutions shall remain under the exclusive control of the State and no part of the proceeds arising from the sale or disposal of any lands granted for educational purposes, or the income or rentals thereof, shall be used for the support of any religious or sectarian school, college, or university, and no portion of the funds arising

from the sale of sections thirteen or any indemnity lands selected in lieu thereof, either principal or interest, shall ever be diverted, either temporarily or permanently, from the purpose for which said lands were granted to the State.

"SEC. 6. The permanent common school and other educational funds shall be invested in first mortgages upon good and improved farm lands within the State (and in no case shall more than fifty per centum of the reasonable valuation of the lands without improvements be loaned on any tract), Oklahoma state bonds, county bonds of the counties of Oklahoma, school district bonds of the school districts of Oklahoma, United States bonds; preference to be given to the securities in the order named.

"The legislature shall provide the manner of selecting the securities aforesaid, prescribe the rules, regulations, restrictions, and conditions upon which the funds aforesaid shall be loaned or invested, and do all things necessary for the safety of the funds and permanency of the investment."

401. **Oklahoma**: Providing for appraisement of lands granted to the State for educational and other public building purposes; authorizing the commissioners of the land office to procure geographical and statistical information concerning the same; providing for renewal of certain leases thereon pending such appraisement, and authorizing the commissioners of the land office to make leases thereafter.

Chap. 49, H. B. 414, p. 484, Apr. 8, 1908.

402. **Oklahoma**: Authorizing commissioners of the land office to lease public lands for oil and gas purposes.

Income from school lands leased to go to proper school fund.

Chap. 49, S. B. 338, p. 490, May 26, 1908.

403. **Oregon**: Repealing chaps. 2 and 3, tit. 32, Bellinger and Cotton's Annotated Codes and Statutes, 1901, relative to public lands, and repealing S. B. No. 154, p. 308, Laws, 1903, relative to the selection of indemnity school land, and repealing S. B. No. 80, Laws, 1905, relative to land clerk's salary, and repealing H. B. No. 46, p. 21, Laws, 1903, relative to investment of the surplus of the irreducible school fund, etc., and enacting substitutes.

Providing for the acquisition, classification, management, control, leasing, sale, and disposition by the State of all lands inuring to the State from any and all sources, and for the management and investment of moneys arising therefrom, constituting all necessary officers therefor, specifying their duties and salaries, giving them full powers for the performance thereof, protecting said lands from trespass and injury, and providing penalties.

Chap. 117, Feb. 23, 1907.

D 404. **Oregon** (1907): Constitution, art. 8, sec. 5, provides that the governor, secretary of state, and state treasurer shall constitute a board of commissioners for the sale of school and university lands and for the investment of the funds arising therefrom, and their powers and duties shall be such as may be prescribed by law. *Held*, that such board was the state's instrument for the sale and disposition of state school lands, and its decisions with reference to who should be entitled to a patent prior to the issuance thereof were not subject to review by the courts.—De Laittre *v.* Board of Com'rs, 149 F. 800.

405. **South Dakota**: Amending sec. 393, art. 1, chap. 6, Revised Political Code, 1903, relating to fees derived from the lease and sale of school and public lands.

Chap. 225, Mar. 6, 1907.

406. **South Dakota**: Providing for the classification and sale of indemnity, common school, and endowment lands.

Providing for classification into agricultural, timber, and grazing lands, and for the annual sale, beginning with the year 1908, of 50,000 acres until one-fourth of such lands is sold.

Chap. 226, Mar. 6, 1907.

407. **South Dakota**: Promoting the sinking of artesian wells upon school and public lands.

Chap. 227, Mar. 7, 1907.

408. **South Dakota**: Amending sec. 385, Revised Political Code, 1903, as amended by chap. 145, Laws, 1905, relative to patents to state lands.

Chap. 228, Feb. 8, 1907.

409. **Texas**: Validating certain sales of school lands.

Chap. 18, Mar. 14, 1907.

410. **Texas**: Authorizing the commissioner of the general land office, with the consent and approval of the governor and attorney-general, to sell the guayule, lechuguilla, and other vegetation on school land, and to enter into contracts for the purpose of determining the commercial value of substances found upon public free school land.

Chap. 135, Apr. 18, 1907.

411. **Texas**: Providing for the survey of mineral bearing school lands.

Chap. 147, Apr. 19, 1907.

D 412. **Texas** (1908): The policy of the State in the disposition of its school lands is to sell only to those who will actually settle on them and occupy them as homes.—Bourn *v.* Robinson, 107 S. W., 873.

413. **Utah**: Appropriating $5,000 to the state board of land commissioners for the employment of counsel and costs and expenses of witnesses in the prosecution or defense of suits, action, or proceedings, wherein the title or right of the State to school lands is brought into question.

Chap. 11, Feb. 28, 1907.

414. **Washington**: Amending sec. 25, chap. 66, Laws, 1901, as amended by sec. 1, chap. 127, Laws, 1905, relating to assessments of state, school, granted, and other lands for drainage purposes.

Chap. 91, Mar. 9, 1907.

415. **Washington**: Relative to the board of state land comissioners.

Providing for an investigation and report to the legislature upon the management of and laws concerning public lands.

Chap. 114, Mar. 11, 1907.

416. **Washington**: Amending sec. 14, chap. 89, Laws, 1897, relative to the sale or lease of state lands.

Chap. 152, Mar. 13, 1907.

417. **Washington**: Amending sundry sections of Annotated Codes and Statutes relating to the selection, survey, management, reclamation, lease, and disposition of state lands.

Chap. 256, Mar. 20, 1907.

(c) Permanent State School Funds: Composition and Investment.

The most important item of legislation under this heading is that of Vermont (435), providing for the management, investment, and distribution of the permanent school fund created in 1904. This

legislation was the direct result of the plan formulated by the special commission appointed in 1904. It is thought to be of sufficient general interest to warrant the presentation of the measure in full. The use of the federal payment of $5,000,000 to the State of Oklahoma (432) for the benefit of the common schools of that State has already been noted. Nebraska (425) and North Dakota (430) each proposed amendments to their constitutions relative to the extension of the investment of educational funds.

417a. **California:** Providing for the loan from the school-land fund to the State of $250,000, and providing for the transfer, repayment with interest, etc.

Exempting money so loaned and transferred from the provisions of sec. 680, Political Code, 1906, relative to the conversion of school funds into bonds.

Chap. 409, Mar. 20, 1907.

418. **Delaware:** Authorizing and directing the state treasurer to transfer the sum of $5,900 from the general fund to the school fund.

Made in order to observe provision of sec. 4, art. X, of state constitution, concerning the inviolability of the school fund.

Jt. Res., Chap. 263, Jan. 17, 1907.

419. **Indiana:** Directing the distribution of certain special funds, as a part of the common school fund, and providing for the adjudication of "unclaimed estates" funds for payment into common school fund.

Special funds known as "common school fund balance," "old sinking fund," "surplus revenue fund," "excess bid sinking fund," "sales common schools lands," and "sales swamp land," total, $99,628.95, to become part of common school fund. Also unclaimed estates funds remaining in state treasury for five years.

Chap. 43, Feb. 25, 1907.

420. **Indiana:** Concerning the publishing for loan of the common school fund.

Providing for quarterly advertisement by county auditor of amount subject to loan; maximum publication fee of $1.50. Loan funds of $1,000 to be posted in auditor's office. Special provision for publication in cities. Penalty for noncompliance by auditor.

Chap. 50, Feb. 25, 1907.

421. **Kansas:** Repealing, and reenacting with amendments, chap. 473, Laws, 1905, relative to the exchange of bonds held by the permanent school fund.

Chap. 377, Mar. 9, 1907.

422. **Massachusetts:** Repealing, and reenacting with amendments, chap. 109, acts, 1903, relative to the technical education fund, United States grant.

Chap. 121, Feb. 16, 1907.

423. **Minnesota:** Amending sec. 2435, Revised Laws, 1905, relative to the board of investment of permanent school and university funds.

Sundry amendments regarding investment and interest.

Chap. 348, Apr. 23, 1907.

424. **Minnesota:** Relating to the swamp-land fund of the State of Minnesota.

Providing for the transfer of certain funds arising from the sale of swamp lands to the "swamp-land fund." Allotting one-half of the annual interest therefrom to the "general school fund" and one-half to the "revenue fund." "Revenue fund" to go to the several educational and charitable institutions.

Chap. 385, Apr. 24, 1907.

425. **Nebraska:** Proposing an amendment to sec. 9, art. 8, constitution, 1875, relative to the investment of educational funds.

Extending power of investment so as to include registered school district bonds of the State and such other securities as the legislature may from time to time direct. (Adopted, November, 1908.)

Jt. Res., Chap. 201, Mar. 5, 1907.

426. **New Mexico:** Relative to the sale of intoxicating liquors on trains.

Funds derived from licenses and fines to be paid into territorial school fund.

Sec. 5, chap. 8, Mar. 6, 1907.

427. **North Dakota:** Amending sec. 165, Revised Codes, 1905, providing for the appointment of a deputy commissioner of university and school lands.

Substituting deputy for chief clerk.

Chap. 163, Mar. 13, 1907.

428. **North Dakota:** Amending sec. 155, chap. 4, Revised Codes, 1905, and amendatory acts, relative to investment of permanent school funds by the board of university and school lands (see chap. 228).

Extending power of investment so as to include bonds of counties and townships within State. Providing for compensation of members of board. Sundry amendments concerning conditions of investment in farm mortgages.

Chap. 224, Mar. 19, 1907.

429. **North Dakota:** Amending sec. 155, chap. 4, Revised Codes, 1905, relative to investment of permanent school funds by the board of university and school lands (see chap. 224).

Chap. 228, Jan. 16, 1907.

430. **North Dakota:** Agreeing to amendment proposed by legislature of 1905, to sec. 162 of the constitution, relative to investment of permanent school funds.

Extending investment so as to include county, township, municipal, and drainage bonds of State, and bonds of other States that have never repudiated any indebtedness.

Con. Res., p. 456, Mar. 23, 1907.

431. **Oklahoma:** Conferring on the commissioners of the land office, consisting of the governor, secretary of state, state auditor, superintendent of public instruction, and president of the board of agriculture, authority to manage, loan, invest, and regulate investment and deposit of the permanent school funds.

Chap. 76, H. B. 8, p. 664, Dec. 18, 1907.

432. **Oklahoma:** Authorizing payment to the state treasurer of $5,000,000 and interest thereon, appropriated to the State of Oklahoma by an act of Congress, June 16, 1906, for the use and benefit of the common schools of the State, in lieu of sections 16 and 36 and other lands, in Indian Territory.

Chap. 76, H. B. 643, p. 662, Dec. 17, 1907.

433. **Oregon:** Memorializing Congress to enact a law to give to the State, to become a part of the principal of the irreducible school fund, the net receipts of the Government of the United States from all the forest reserves within the State.

S. Jt. Mem. No. 5, p. 518, Feb. 14, 1907.

434. **South Dakota:** Authorizing the commissioner of school and public lands to sell pine timber grown upon such lands.

Proceeds to go to permanent school fund.

Chap. 224, Feb. 25, 1907.

435. **Vermont:** Providing for a permanent public-school fund,[a] creating a board of trustees to manage the same, and directing the investment and distribution thereof. Amending sec. 740, Public Statutes, 1894, and repealing secs. 737, 738, 741, 742, 743, 744, 749, 750, 751, 753, and all amendments thereto, Public Statutes, 1894. Repealing act No. 42, Acts, 1904.

"SECTION 1. The sum of two hundred forty thousand dollars returned by the National Government to the State in settlement of the civil war claims, the Huntington fund, the United States deposit money, and such other additions as may hereafter be made to the fund hereby established shall be forever held intact and in reserve as a permanent public school fund.

"SEC. 2. A board to be known as trustees of permanent school fund is hereby constituted, consisting of the governor, lieutenant-governor, state treasurer and superintendent of education, ex officio, and three persons to be appointed biennially by the governor, whose term of office shall continue until the first day of November of the next biennial year and until their successors are appointed and qualified, unless sooner removed by the governor. Said trustees shall invest the permanent public school fund in the following-named securities only: United States bonds, state bonds, bonds of cities and school districts located in the United States, excluding Territories, and having a population of over twenty thousand, and bonds of towns, cities and villages in this state, whose total indebtedness does not exceed five times the amount of the grand list. Said board of trustees is empowered to receive gifts, bequests or additions to such permanent public school fund, and all purchases and sales of securities shall be made by, and all securities shall be taken in the name of, and so far as possible made payable to the trustees of permanent school fund.

"SEC. 13. The income only from said permanent school fund shall be covered into the state treasury, fifteen thousand dollars of which shall annually be divided among the towns, cities, and unorganized towns and gores entitled thereto, in the same manner as the forty-five thousand dollar reserve fund is divided, and the remaining portion of the income shall be divided by the state treasurer among the towns, cities, and unorganized towns and gores according to the number of legal schools maintained the preceding year, and such division shall be made at the same time the moneys derived from the state school tax are now divided. The income thus distributed shall be used solely for the support of public schools, and shall, in unorganized towns and gores, be divided equally between the several school districts which have maintained a legal school the preceding year, and in towns having a district incorporated by a special act of the general assembly, as is provided for the division in such towns of money received from the State school tax."

Act No. 54, Dec. 14, 1906.

436. **Vermont:** Directing the payment for printing 500 copies of the report of the special commission on permanent school fund.

Jt. Res. No. 494, Dec. 7, 1906.

437. **Washington:** Providing for investment of the permanent school fund and permanent funds of the normal schools, state university, scientific school, agricultural college, and charitable, educational, penal, and reformatory institutions.

Creating a state board of finance to be composed of governor, state treasurer, and state auditor. Prescribing mode and conditions of investment of funds.

Chap. 12, Feb. 11, 1907.

438. **Washington:** Relating to escheats.

All escheats to belong to permanent school fund.

Chap. 133, Mar. 12, 1907.

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[a] Created in accordance with recommendations of commission provided for by act No. 42, Acts, 1904. (See enactment No. 209, Bureau of Education Bulletin, No. 3, 1906.)

(d) State Taxation for School Purposes.

The legislation of the biennium with respect to state taxation for public school purposes contains several important enactments. Those of Arkansas (439), Indiana (441), Maine (443), Oklahoma (446), (447), Texas (448), Utah (449), and of Washington (451), are selected as indicative of the marked trend to provide for a more generous support of the public elementary and secondary schools. Of the foregoing list, the increased school revenue provided in Indiana is perhaps worthy of special mention.

439*. **Arkansas:** Amending act No. 266, acts, 1905, relative to rate of taxation for general state purposes.

Increasing state tax for support of common schools from 2 to 3 mills.

Sec. 1, act No. 189, Apr. 17, 1907.

440. **Illinois:** Providing for the necessary revenue for state purposes.

Providing that there be raised for state school purposes, to be designated as "state school fund," the sum of $1,000,000 upon the assessed taxable property for each of the years 1907 and 1908, in lieu of the 2 mill tax.

S. B. 546, p. 498, May 27, 1907.

441*. **Indiana:** Amending sec. 1, chap. 32, Laws, 1905, providing for the levy of an annual tax for a state common school tuition fund.

Increasing the annual tax from 11 cents and 6 mills to 13 cents and 6 mills, and providing in addition thereto a poll tax of 50 cents upon each legal voter. [See enactment 221, p. 48, Bureau of Education Bulletin No. 3, 1906, State School Systems.]

Chap. 249, Mar. 11, 1907.

D 442. **Louisiana** (1908): The school tax authorized by constitution, art. 232, to be levied in aid of public schools, is not a special assessment, and property exempted from taxation by the constitution is not subject to it.—Louisiana & N. W. R. Co. *v.* State Board of Appraisers, 45 So., 394.

443. **Maine:** Amending sec. 124, chap. 15, Revised Statutes, 1903, relative to the mill tax.

Increasing state tax for support of common schools from 1 mill to 1½ mills.

Sec. 2, chap. 111, Mar. 26, 1907. (Jan. 1, 1908).

444. **Nebraska:** Repealing sec. 11,156, Cobbey's Annotated Statutes, 1903, relative to special state tax levy of 1½ mills for the state common school fund.

Chap. 125, Apr. 5, 1907.

445. **Nevada:** *See enactment No. 29.*

446. **Oklahoma:** Providing for a tax on gifts, inheritances, bequests, legacies, devices, and successions in certain cases.

One-half of proceeds of tax to be used for the public schools of the State as other available state common school funds.

Chap. 81, H. B. 492, p. 733, May 26, 1908.

447. **Oklahoma:** Providing for the levy and collection of a tax on income.

Proceeds from graduated income tax to be for the benefit of available common school fund of the State.

Chap. 81, H. B. 557, p. 730, May 26, 1908.

448. **Texas:** Amending art. 5047, chap. 1, tit. 104, Revised Civil Statutes, 1895, relative to ad valorem taxes for free-school purposes.

Increasing state levy from 18 to 20 cents per $100.

Chap. 66, Apr. 5, 1907.

449. **Utah:** Proposing an amendment to sec. 7, art. 13, of the constitution relative to revenue and taxation.

Fixing the proportion of the maximum tax rate (8 mills) to be devoted to the enumerated purposes; 4½ mills for general state purposes; 3 mills for district-school purposes; one-half mill for high-school purposes. S. J. R. No. 2, p. 272 (to be effective Jan. 1, 1909).

Defeated, November, 1908.

450. **Vermont:** Exempting real and personal property of college fraternities and societies from taxation.

Excepting that held for investment purposes.

Act. No. 27, Dec. 6, 1906.

451. **Washington:** Amending sec. 111, chap. 118 (Code of Public Instruction), Laws, 1897, relative to state levy of taxes for school purposes.

Increasing amount of annual state tax from $6 to $10 for every child of school age. Maximum, 5 mills. Manner of apportionment.

Chap. 102, Mar. 11, 1907.

452. **West Virginia:** Amending and reenacting sec. 100, chap. 35, Acts, 1905, relative to the payment of taxes upon property assessed by the board of public works.

Duty of state auditor in cases of overpayment of taxes. Certificate to county courts, school districts, and municipalities.

Chap. 48, Jan. 25, 1907.

(e) General Apportionment of State School Funds; Special State Aid for Elementary Education.

Of the means for the extension and development of public education none possesses more widespread influence than that of the general financial support by the State as a unit. To this end systems of general state taxation have been inaugurated and permanent state school funds have been established. By the income derived from these two sources the States have aimed to reduce the burden of the support of public schools by local taxation alone, to stimulate the growth of local endeavor for the provision of adequate educational opportunities, and to equalize the frequently varying advantages for education among the different communities in the same State.

The most important problem in this connection is that of an equitable and just form of distribution or apportionment of the state educational revenues in order that the ends above mentioned may be accomplished in the best manner possible, and in order that the support provided through the State may become a real and positive force in the provision of adequate school facilities for all the children in the State. Distributions to the various school communities of the State on the basis of taxes paid, property valuation, number of children of school age, total school enrollment for a certain definite period, average daily membership, average daily attendance, or aggregate days of attendance may be indicated among the methods that have been devised and utilized, singly or in combination, at various times by different States. In general, it may be said that

distribution on the basis of the school population or census has been, and is, the prevailing method at the present time.

The very evident aim of this latter method of distribution is to diminish the burdens of local support and to equalize the educational opportunities within the State upon the presumption that the school population is the best index of the local educational needs. However, in certain States, during recent years, the weakness of this conclusion has been recognized, and attempts have been made to formulate some single or combination method of distribution which would not merely preserve an equality in the amount of assistance given by the State to the different school communities, but which would in reality give help where help was most needed. The methods of distribution on the basis of school enrollment or attendance belong to this class of efforts. More recently, it has come to be recognized that the number of teachers employed gives a far better basis for distribution than either the school census or school attendance, and that a combination basis of the number of teachers and the amount of school attendance represents perhaps the most equitable method for the utilization of the state school fund.

Any reasonable estimate of comparative importance would place a number of the items of this group in the front rank of progressive legislation. More and more each year the different States are endeavoring to extend financial assistance to the least wealthy school communities by making direct appropriations for the expansion and improvement of the various grades of elementary schools. Connecticut (459, 460), Florida (461, 462), Maine (466), Maryland (467), Minnesota (468), Nebraska (469), Ohio (476), Utah (484), Virginia (486), West Virginia (489), and Wisconsin (491, 492), may be selected as typical of what is being accomplished to raise educational standards by wisely directed financial assistance. Indiana (631) amended her noteworthy enactment of 1905 establishing a reserve fund to be distributed to those communities which had made the maximum local effort permitted by law for the support of public schools and yet were unable to meet the minimum educational demands and standards established by the State.

The decision of the California supreme court (D 457) as to the status of kindergartens as a part of the public-school system is included under this head because of the present day widespread interest in the establishment of kindergartens as an integral part of public-school system.

453. **Alabama:** *See enactment No. 706.*

454. **Arizona:** Amending subdivs. 1, 2, and 3, par. 2258 (sec. 128, chap. 16, tit. 19), Revised Statutes, 1901, relative to apportionment of school funds. Fixing more definitely classification of districts; increasing amount of apportionment to districts of each class. No district to share in

apportionment unless teachers employed hold legal certificates or diplomas in force, and unless school has been maintained at least six months during the next preceding school year.

Sec. 5, Chap. 67, Mar. 21, 1907. (July 1, 1907.)

455. **Arizona:** Amending par. 2246 (sec. 116, chap. 14, tit. 19), Revised Statutes, 1901, relative to territorial school tax.

Simplifying method of paying out territorial school revenues by territorial treasurer.

Sec. 6, Chap. 67, Mar. 21, 1907. (July 1, 1907.)

456. **Arizona:** Amending par. 2260 (sec. 130, chap. 17, tit. 19), Revised Statutes, 1901, relative to apportionment of school funds.

Providing for procedure in cases of districts discontinued by reason of an average attendence of less than eight pupils for three months.

Sec. 21, Chap. 67, Mar. 21, 1907. (July 1, 1907.)

D 457. **California** (1905) :[a] Constitution, art. 9, sec. 5, requires the legislature to provide for a system of "common schools" by which a free school shall be kept up and supported in each district. Sec. 6 provides that the "public-school system" shall include "primary and grammar schools," and such high schools, evening schools, etc., as may be established by legislative or local authority, and further provides that the entire revenue derived from the state school fund shall be applied exclusively to the support of "primary and grammar schools." Pol. Code, secs. 1622, 1861, reiterate the requirement that the revenue of the state school fund shall be applied solely to primary and grammar schools. Sec. 1532 requires the superintendent of public instruction to apportion the balance of the state school fund which remains after providing for teachers to the several counties according to their "average daily attendance," as shown by reports of the county superintendents for the preceding year. Secs. 1617, 1662, and 1663 recognize, and make certain provisions in relation to, the adoption of kindergartens as part of the "public primary schools" in cities and towns. *Held*, that, notwithstanding the legislative designation of kindergartens as "primary" schools, such institutions are not primary and grammar schools" within the meaning of the constitutional and statutory provisions for the distribution of the state school fund, and the kindergarten attendance is not to be computed in ascertaining the proportion of the school fund to which a county is entitled.—Los Angeles County *v.* Kirk, 83 P., 250.

458. **Connecticut:** Amending sec. 3, chap. 102, acts, 1903, concerning state aid for support of schools.

Requiring, as a condition of state aid, a certification that schools have been taught by teachers legally examined and qualified and not disapproved by state board of education.

Chap. 135, June 21, 1907.

459. **Connecticut:** Amending sec. 1, chap. 102, acts, 1903, concerning state aid for support of schools.

Extending provisions of act so as to include towns having a valuation of less than $1,000,000 (previously, less than $500,000).

Appropriating $60,000 for this purpose for the two fiscal years ending September 30, 1909.

Chap. 216, July 17, 1907.

460. **Connecticut:** Amending sec. 5, chap. 195, acts, 1903, concerning state aid for the supervision of schools.

Extending provisions of act so as to include towns having not more than 20 teachers (previously, 10).

Chap. 259, July 31, 1907.

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[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

461. **Florida**: Amending sec. 12, chap. 5382, acts, 1905, defining grades of instruction which shall be taught in the uniform system of public schools, and aiding and encouraging the establishment of public high schools and rural graded schools.

Increasing annual appropriation for State aid from $50,000 to $65,000 for 1907 and 1908.

Chap. 5653 (No. 58), May 22, 1907. (July 1, 1907.)

462. **Florida**: Providing for state aid for public schools, prescribing conditions, and making appropriations therefor.

Granting state aid to every public school maintaining average daily attendance of 80 per cent of the average monthly enrollment sufficient to maintain school two months in addition to regular term, excepting schools receiving state aid under provisions of chap. 5382, acts, 1905.

County superintendent to file reports of attendance with state board of education as a condition for obtaining aid. Appropriating $60,000 annually for the years 1907 and 1908.

Chap. 5654 (No. 59), May 22, 1907.

463. **Florida**: Providing state aid further than the 1 mill state school tax, and prescribing duty of county school boards, its chairman and county treasurer, for certain common schools, not otherwise receiving state aid.

Appropriating $40,000 annually for the school years beginning July 1, 1907 and July 1, 1908, to be apportioned among the several counties upon the basis of taxable value of property. Said money to be expended in lengthening by one month term of schools receiving no state aid other than 1 mill tax. Surplus to be used only for equipping, repairing, and furnishing such schools. Funds to be paid out only upon affidavit of chairman of county school board that money will be used for no purposes other than those specified in act.

Chap. 5657 (No. 62), June 3, 1907.

464. **Georgia**: Amending act No. 479, p. 65, Acts, 1903, relative to securing to the several counties of the State the public school fund to which they are legally entitled.

Providing for apportionment of the public school fund whenever new counties are created.

Act No. 489, p. 117, Aug. 18, 1906.

465. **Kentucky**: Amending sec. 4375, Statutes, 1903, relative to apportionment of the school fund.

Minor amendment concerning use of excess of apportionment by school districts.

Chap. 71, Mar. 19, 1908.

466. **Maine**: Amending secs. 2–4, chap. 296, Public Laws, 1897 (secs. 41–43, chap. 15, Revised Statutes, 1903), relative to district superintendents of schools and union of towns for school purposes.

Requiring joint school committees to certify to state superintendent of schools as well as to the treasurers of the respective towns the amounts apportioned for payment by the several towns. Omitting provision regarding proportional vote in selection of superintendent of schools.

State aid for supervision increased from one-half to two-thirds of the salary of the superintendent of schools. Payment to be made direct to superintendent instead of to towns. Maximum aid increased from $750 to $800.

Adding provision that union of towns shall continue three years unless dissolved by a two-thirds vote of the joint committee.

Chap. 101, Mar. 22, 1907.

467. **Maryland**: *See enactment No. 1141.*

467a. **Maryland**: Paying to the school commissioners of Garrett County a sum of money out of the State school tax.

Special assistance of $4,000 per annum for two years to enable minimum school term of seven and one-half months.

Chap. 352, p. 847, Apr. 8, 1908.

468. **Minnesota**: Providing for state aid for establishment of consolidated rural schools.

"*Teacher and assistant.*—SEC. 1. From any moneys hereafter appropriated from the state treasury to carry out the provisions of this act to be distributed to the first fifty consolidated rural schools established, equipped and conducted so as to meet the following named conditions, to wit:

"(*a*) Said consolidated rural school district shall contain not less than sixteen nor more than thirty-six square miles of territory.

"(*b*) There shall be a continuous tract of 10 acres of land secured as the property of the district, upon which there shall be erected a substantial building containing not less than four rooms, including one practice room.

"(*c*) There shall be employed a principal teacher, who is qualified to teach the elements of agriculture as determined by such tests as shall be required by the state superintendent of public instruction, in addition to the requirements for the teacher of a state graded school. There shall also be employed at least one assistant teacher who shall be qualified to teach home economics, as determined by such tests as shall be prescribed by the state superintendent of public instruction, in addition to the requirements for an assistant teacher in a state graded school. Such other assistants shall be employed as are necessary to properly instruct the pupils in the school.

"(*d*) Adequate provisions for conveying the pupils to and from said school shall be provided by said district.

"(*e*) Said lands shall be properly divided into areas for playgrounds, for the planting of trees, crops, and ornamental plants, and shall be so used and managed as to best serve as a means of instructing the pupils of said schools in farming and home making, and shall be under the immediate management of the principal, with such supervision as may be given by the county superintendent of schools and the state superintendent of public instruction.

"(*f*) The said schoolhouse shall be outside of any incorporated village or city.

"*Superintendent to certify.*—SEC. 2. No money shall be paid under the provisions of this act until the state superintendent, after due examination, shall certify that the conditions of the act have been fully complied with.

"*Limitations.*—SEC. 3. The aid provided by this act shall be granted to not more than one school district in any one county.

"SEC. 4. This act shall take effect and be in force from and after its passage."

Chap. 304, Apr. 22, 1907.

469. **Nebraska**: Providing at least seven months of school in the first eight grades for all youth of the State whose parents or guardians live in school districts whose funds are not sufficient to maintain school for seven months.

Providing for annual state aid not to exceed $120 to be applied to payment of teachers' wages. Maximum local tax must be levied. Prescribing procedure for awarding aid. Appropriating $50,000.

Chap. 119, Apr. 10, 1907.

470. **Nevada**: *See enactment No. 29.*

471. **New Hampshire**: Appropriating an additional sum of money to aid in carrying into effect the provisions of sec. 3, chap. 77, Laws, 1899 (sec. 27, chap. 89, Public Statutes, 1901), entitled "An act to equalize the school privileges of the cities and towns of the State."

Special appropriation of $10,000 for the year 1908.

Chap. 115, Apr. 4, 1907.

472. **New Jersey**: Supplementing chap. 146, Laws, 1906, as supplementing chap. 1, Laws, 1903 (sp. sess.), relative to distribution of school moneys.

Providing for distribution by state comptroller of taxes not paid in 1907, by reason of litigation on part of certain railroad companies. Such

moneys to be used for support and maintenance of public schools for year ending June 30, 1909.

Chap. 267, Apr. 14, 1908.

473. **New York:** Amending sec. 12, art. 1, tit. 2, chap. 556, Laws, 1894 (consolidated school law), as amended by sec. 1, chap. 166, Laws, 1904, relative to the apportionment and distribution of state and other school moneys.

Chap. 365, May 19, 1908.

474. **North Dakota:** *See enactment No. 961.*

475. **North Dakota:** Amending sec. 847, Revised Codes, 1905, relative to school districts entitled to tuition fund.

Empowering county superintendent to withhold apportionment of state and county school moneys from districts failing to make census and other annual reports; also from districts other than new districts failing to maintain school for six school months. Withholding funds made mandatory with reference to schools failing to maintain school for four months.

Sec. 6, chap. 95, Mar. 19, 1907.

476. **Ohio:** Appropriating $45,000 for assistance of weak school districts.

In accordance with provision of act of April 2, 1906.

H. B. 1302, p. 523, May 9, 1908.

477. **Oklahoma:** Amending sec. 175, art. 13, chap. 77, Wilson's Revised Annotated Statutes, 1903, relative to the apportionment of school fund.

Extending time for making apportionment thirty days.

Chap. 76, S. B. 141, p. 667, Jan. 17, 1908.

478. **Oklahoma:** Repealing chap. 76 (S. B. 141, p. 667), Laws, 1907–8, and providing for apportionment of income of state school fund and annual taxes collected by the State for support of the public schools, to counties of the State, and for apportionment of the federal appropriation.

Chap. 76, S. B. 259, p. 666, Mar. 21, 1908.

479. **Oregon:** Amending sec. 3371, Bellinger and Cotton's Annotated Codes and Statutes, 1901, relative to districts not entitled to school fund.

Providing that districts must report to county superintendent within fifteen days after annual meeting, and providing also that school must be taught at least four months in each year (formerly three).

Chap. 96, Feb. 23, 1907.

480. **Pennsylvania:** Amending secs. 3, 5, 6, No. 215, Laws, 1897, providing a more just and equitable method of distributing school appropriation to common schools, and specifying duties of officers in connection therewith.

Changing time of enumeration and enrollment. Adding provision for enumeration of taxables and enrollment of school children in cities of the first and second classes by officers appointed by the boards of education, and for distribution of school funds to said cities on the basis of such list of taxables.

Act No. 38, Apr. 4, 1907.

481. **Pennsylvania:** Authorizing and requiring the superintendent of public instruction to use the return of the number of children between the ages of 6 and 16 years in the several school districts in each county, now required to be made by the county commissioners to the superintendent of public instruction, as the basis for distribution of one-third of the state appropriation to schools.

Act No. 144, May 8, 1907.

482. **Tennessee**: Repealing chap. 105, Acts, 1903, and chap. 213, Acts, 1905, relative to disposition of the surplus remaining in the state treasury at the end of each year by appropriating it to use for scholastic purposes. Providing for appropriation of money for public schools of the State, to be estimated on a per capita basis and distributed to the several counties in proportion to their scholastic population, and appropriating a fixed sum annually for the purpose of equalizing the length of the school terms in the several counties, and providing for the distribution of the same.

Chap. 537, Apr. 15, 1907.

D 483. **Tennessee** (1905): Prior to 1873 the legislature incorporated the city of Knoxville, with express power to establish and regulate public schools. Acts, 1873, p. 39, chap. 25, entitled "An act to establish and maintain a uniform system of public schools," provided that the public school system should be administered by the state superintendent, county superintendents, and district school visitors; and sec. 51 (p. 50) enacted that none of the provisions of the act should be construed to interfere with the schools or systems already established, but that they should receive their pro rata shares of moneys raised under the statute according to their scholastic population. Acts, 1885 (ex. sess.), p. 48, chap. 8, entitled "An act to reduce the acts incorporating the city of Knoxville and amendments to one act," recognized the existence of the Knoxville schools by secs. 63, 64 (p. 68), wherein it was provided that the mayor and aldermen should elect five citizens, who should constitute a board of education. Under authority of such sections and ordinances passed pursuant thereto the board of education was put in charge of the Knoxville schools and the board appointed enumerators from time to time to take a census of the scholastic population. *Held* that, such enumerators having made false reports as to the scholastic population whereby the city of Knoxville and its schools received moneys in excess of the amount to which they were entitled, the State was entitled to recover the moneys so received and expended by the city, the board of education and the enumerators having been the agents of the city.—State *v.* City of Knoxville, 90 S. W., 289; 115 Tenn., 175.

484. **Utah**: Amending chap. 121, Laws, 1905, relative to revenue for common school districts where the revenue from the state, county, and district school taxes is insufficient.

Changing dates for making reports. Prohibiting employment of additional teachers in aided districts without recommendation of county superintendent and approval of state superintendent. Increasing appropriation from $6,000 to $8,000.

Chap. 24, Mar. 11, 1907.

485. **Utah**: Amending sec. 1775, Revised Statutes, 1898, relative to apportionment of the school fund.

Abstracts of apportionment to be furnished to the treasurer of the board of education in cities of the first and second classes (formerly city superintendent).

Chap. 45, Mar. 14, 1907.

486. **Vermont**: Promoting the centralization of small schools, and equalizing school advantages; also amending sec. 763, Public Statutes, 1894, relative to definition of "legal school."

"SEC. 1. A school performing the work prescribed in a nine years' course of study, or part thereof, prepared by the superintendent of education for ungraded schools, shall be considered an elementary school.

"SEC. 2. The sum of twenty thousand dollars is hereby set aside in the state treasury for the purpose of aiding towns which have furnished, during the preceding school year, transportation and board for their resident pupils in attendance upon the elementary schools. A board of

division, composed of the governor, state treasurer and superintendent of education, shall, on or before the first day of July annually, apportion the sum herein provided among the various towns which have furnished such transportation and board, and which have raised by taxation and expended fifty per cent, or more, on their respective grand lists for school purposes, not including interest on the United States deposit fund, the state school tax and money for new schoolhouses, in the following ratio: To towns having raised and expended fifty per cent and more, one share per dollar expended for transportation and board; to towns having raised and expended sixty per cent and more, one and one-half shares; and to towns having raised and expended seventy per cent and more, two shares. Upon the completion of the apportionment the board of division shall forthwith transmit the same to the state treasurer, who shall, on or before the tenth day of July annually, pay the various towns in the State according to the portion assigned by the board of division.

"SEC. 3. On or before the second Tuesday of April, annually, the board of school directors shall furnish the town clerk, on a blank furnished said board by the superintendent of education, a sworn statement of the actual expenditure by said board for transportation and board of resident pupils in attendance upon the elementary schools, and the town clerk shall, upon a blank furnished him by the superintendent of education, certify to said superintendent on or before the first day of June, annually, the sum expended by the board of school directors, for transportation and board of resident pupils, and the per cent actually raised and expended for school purposes, not including interest on United States deposit fund, state school tax and money expended for new school buildings, and no town shall be entitled to any portion of the sum herein set aside for transportation and board unless such certificate is made as required.

"SEC. 4. Section 763 of the Vermont statutes is hereby amended so as to read as follows, viz:

"'Section 763. A legal school for the purposes of this chapter shall be one which, during the preceding school year, has been maintained for at least twenty-eight weeks, during which time the average daily attendance of pupils has been not less than six; and which has been taught by a duly qualified teacher, whose register has been kept and returned as required by law.'

"SEC. 5. This act shall take effect April 1, 1907."

No. 53, Nov. 22, 1906. (Apr. 1, 1907.)

487. **Virginia:** Amending and reenacting sec. 1520 (1521), Code, 1904, relative to disposal of unexpended school funds.

Unexpended funds to go to general fund for redivision, unless otherwise directed by state board of education.

Chap. 309 (in part), Mar. 14, 1908.

488. **Virginia:** Amending and reenacting sec. 1507, Code, 1904, relative to approximate apportionment and disbursement of state funds.

Modifying conditions of payment. Providing for semiannual instead of annual distribution.

Chap. 330, Mar. 14, 1908.

489. **West Virginia:** Regulating rate and manner of laying levies for taxation in counties, magisterial and school and independent school districts, and municipal corporations, and providing penalties for illegal expenditure of public moneys, incurring of illegal obligations, and laying of illegal levies by any tax-levying body, and for the distribution of a portion of the school fund.

Levy by boards of education for building fund limited to 15 cents for 1908 and to 12½ cents thereafter. Teacher's fund levy limited to 25 cents. Cities of less than 10,000 population may levy tax of 10 cents for high school. Additional tax for payment of bonds.

When maximum local levy for teachers' fund is insufficient to maintain schools for six months, at the minimum salary fixed by law, State to make up deficiency. Fifty thousand dollars to be set aside by state

superintendent for distribution. Prescribing conditions for payment of more than minimum salary to teachers. (Sec. 3.)

Chap. 9, Feb. 26, 1908.

490. **Wisconsin:** *See enactment No. 1020.*

491. **Wisconsin:** Amending sec. 10, chap. 439, Laws, 1901, as amended by chap. 332, Laws, 1905, and making said section 496e, of the Statutes, 1898, relative to the amount of state aid for graded schools.

Increasing annual state aid to graded schools of the second class from $100 to $200.

Increasing maximum annual state aid to all graded schools from $80,000 to $120,000.

Chap. 375, June 24, 1907.

492. **Wisconsin:** Creating secs. 560f to 560m, inclusive. Statutes, 1898, relative to betterment of rural schools, and making an appropriation therefor.

"Sec. 560f. Every school district which shall have maintained a school for eight months the previous year, supplied needful apparatus and textbooks, and kept the schoolhouse and outbuildings in proper condition and repair, shall, for the purposes of this act, be deemed to have maintained a rural school of the second class.

"Sec. 560g. Every school district not composed wholly or in part of an incorporated village or city, nor containing a state graded school, which shall have maintained a school for eight months the previous year, provided a suitable school building and outbuildings, needful apparatus, supplementary readers, and installed an adequate system of ventilation, and done efficient work, shall, for the purposes of this act, be deemed to have maintained a rural school of the first class.

"Sec. 560h. Any district maintaining a rural school of the second class shall be entitled to a share in all state and county school moneys. Any district maintaining a rural school of the first class shall be entitled, in addition to the moneys specified for rural schools of the second class, to special state aid to the amount of fifty dollars per year for three years to be paid from the state treasury.

"Sec. 560i. The state superintendent shall inform the county and district superintendents as to what shall be considered needful apparatus and proper equipment and an improved system of ventilation for rural schools; and in case of disagreement between the school district and the county or district superintendents as to whether a school has the proper equipment, his judgment shall be final.

"Sec. 560j. Any school district which desires special state aid as provided in section 560h of this act, shall make out an application in writing to the county or district superintendent on a blank furnished by him setting forth the condition of the buildings, the amount and nature of the apparatus in the school and a description of the system of ventilation used or in use. If a defect in the building or ventilating system or a deficiency in apparatus is in process of repair, the county superintendent may consider it, for the purposes of this application, as having been completed; subsequent neglect, however, to complete such repairs or to make such purchases as the board have previously certified to be in process of making, shall be ground on which the county or state superintendent may revoke the approval of the application.

"Sec. 560k. If the county superintendent shall approve of the application, he shall indorse the same and remit it to the state superintendent of public instruction who shall act upon the applications in the order of their reception.

"Sec. 560l. To each district which shall comply with all the provisions of this act, and whose application for aid shall have been approved by him, the state superintendent shall apportion the sum of fifty dollars which shall be paid in the same manner as other forms of special state aid are now paid.

"Sec. 560m. To carry out the provisions of this act there is hereby appropriated annually out of the moneys assessed and collected under the provisions of chapter 313, laws of 1903, amending section 1072a of the statutes of 1898, a sum sufficient to meet all the approved claims coming under the provisions of this act."

Chap. 600, July 12, 1907.

(f) Special State Aid for Secondary Education.

Adequate provision for elementary schools is rightly accounted of first importance in the educational economy of the state and city or school districts. More and more, however, secondary or high schools are coming to be regarded as essential parts of a unified state system. The encouragement and assistance for the growth of these schools afforded directly by the State have been among the interesting educational phenomena of the last decade or two. In practically all the States in which notable progress in public education has been made, some form of special state aid for high schools has been established. The enactments classified under this head are indicative of no new tendency: on the contrary, they bear evidence of the continued special interest evinced by the States for the care of this particular portion of their educational systems. With but one or two evident exceptions, each one of the enactments of the following group is worthy of special mention. Any comparative estimate, however, would give special attention to the legislative activities in the Southern States for the extension and betterment of the opportunities for secondary education.

493. **Alabama**: *See enactment No. 1215.*

494. **Maine**: Amending sec. 4, chap. 148, acts, 1901 (sec. 79, chap. 15, Revised Statutes, 1903), relative to time of incorporation of academies receiving state aid.

Date of incorporation, as a condition for state aid, extended from Feb. 26, 1901, to May 1, 1907.

Chap. 91, Mar. 20, 1907.

495. **Maine**: Amending secs. 1 and 5, chap. 148, acts, 1901 (secs. 76 and 80, chap. 15, Revised Statutes, 1903), relative to state aid for academies.

Removing requirement of attendance by nonresident pupils as a condition for state aid. Permitting average daily attendance to be based upon five years next preceding.

Chap. 102, Mar. 22, 1907.

496*. **Maryland**: Adding secs. 122A–122D, Public General Laws, 1904, relative to state aid for the inauguration of commercial courses in certain approved high schools.

Annual state aid of $1,000 to each approved school. Conditions. Special provisions concerning certain high schools in Baltimore.

Chap. 635, p. 227, Apr. 6, 1908. (Aug. 1, 1908.)

497. **Massachusetts**: Supplementing sec. 1, chap. 200, acts, 1906, as amending chap. 433, acts, 1902, as amending sec. 3, chap. 42, Revised Laws, 1902, relative to state aid for high schools.

Relating to special annual state aid of $500 to towns of less than 500 families maintaining a high school having at least two teachers. No town the valuation of which averages a larger sum for each pupil in the average membership of its public schools than the corresponding average for the Commonwealth to receive aid. No school to receive aid unless approved by state board of education.

Chap. 427, Apr. 21, 1908.

498. **Mississippi**: *See enactment No. 1297.*

499. **North Carolina**: *See enactment No. 148.*

500*. **North Dakota:** Amending secs. 1034, 1035, and 1036, Revised Codes, 1905, relative to high school board, and to state aid to high schools.

Permitting high school board to designate some person to make inspections. Increasing annual aid to three-year high schools from $500 to $600, and granting annual aid of $300 to two-year high schools. Providing that no more than 40 per cent of annual appropriation may be used for libraries and equipment. Increasing maximum amount of annual aid from $25,000 to $45,000, and the number of aided schools in each county from three to five.

Chap. 99, Mar. 4, 1907.

501. **South Carolina:** *See enactment No. 1261.*

502. **Vermont:** Amending sec. 3, act No. 37, acts, 1904, relative to high schools. Section rewritten with several minor amendments.

Provision added excluding interest on United States deposit fund and expenditures for new buildings from amount raised by local taxation as basis for state aid.

Sec. 1, act No. 50, Dec. 19, 1906. (Apr. 1, 1907.)

503. **Virginia:** *See enactment No. 107.*

504. **West Virginia:** *See enactment No. 672.*

505. **Wisconsin:** *See enactment No. 1181.*

506. **Wisconsin:** Amending sec. 496, Statutes, 1898, as amended by chap. 214, Laws, 1899, as amended by chap. 345, Laws, 1901, relative to state aid for free high schools.

Increasing required length of annual school session from three to eight months.

Authorizing state superintendent to withhold state aid under certain conditions—failure of school to maintain approved standard of instruction, to provide suitable and sanitary buildings and grounds, or to furnish adequate equipment.

Chap. 527, July 9, 1907.

507. **Wisconsin:** Amending sec. 491b, Statutes, 1898, as amended by chap. 214, Laws, 1899, as amended by chap. 345, Laws, 1901, relative to state aid for free high schools.

Increasing from $25,000 to $50,000 the maximum annual limit of such state aid.

Chap. 571, July 11, 1907. (July 13, 1907.)

C. LOCAL (COUNTY, DISTRICT, MUNICIPAL) FINANCE AND SUPPORT.

(a) General.

The enactments relating generally to local school finance are mostly concerned with the minor details and management of educational funds. There is a continuation of the tendency to require more careful auditing of accounts and a greater publicity of the local financial affairs of the public schools. The Louisiana measure (515), making the parish superintendent of schools treasurer of school funds in place

of the parish treasurer, is regarded in that state as being of very considerable importance to the educational interests of the parishes.

508. **California**: Amending sec. 1543, Political Code, 1906, relative to general duties of county superintendents.

Providing for the transferring of funds of lapsed school districts to the district into which they are merged.

Chap. 57, Mar. 1, 1907.

509. **Colorado**: Relating to duties of county treasurers and district boards of school directors. Repeal.

Providing for the cancellation of warrants paid for quarterly financial reports, and for the preservation of all reports and cancelled orders for a period of six years.

Chap. 218, Apr. 15, 1907.

510. **Connecticut**: Concerning the appraisal of school property of consolidated school districts.

Constituting a committee of appraisement.

Chap. 14, Mar. 21, 1907.

511. **Connecticut**: Amending chap. 14, acts, 1907, concerning the appraisal of school property of consolidated school districts.

Extending to towns already consolidated the provisions for appraisement.

Chap. 93, May 27, 1907.

512. **Indiana**: Amending chap. 204, Laws, 1901, relative to the transfer of children from one school corporation to another and the price of tuition.

Previous method of direct payment by school corporations replaced through equalization of tuition fund by county auditor.

Chap. 189, Mar. 9, 1907.

513. **Indiana**: Authorizing transfer and use of certain funds collected for specific purposes, which purposes have been abandoned.

Authorizing township trustee of township collecting fund for constructing a school building to transfer such fund to township fund.

Chap. 200, Mar. 9, 1907.

515*. **Louisiana**: Amending sec. 65, act No. 214, acts, 1902, relative to the treasurer of parish school funds.

Making superintendent of public schools of parish treasurer of fund in place of parish treasurer. No compensation as treasurer. Provisions for bond.

Act No. 17, Dec. 2, 1907. (Feb. 1, 1908.)

516. **Louisiana**: Fixing the compensation of tax assessors of each parish.

Four per cent of first $50,000; 2 per cent of second $50,000; 1 per cent of over $100,000; maximum of 1 per cent on special school taxes.

Act No. 22, Dec. 3, 1907. (Jan. 1, 1908.)

517. **Michigan**: Amending sec. 6, act No. 48, Laws, 1901, providing for a tax upon dogs, and creating a fund for the payment of certain damages for sheep killed or wounded by them in certain cases.

Authorizing township board or city council to retain not to exceed $300 of said fund; balance to be apportioned to the several school districts.

Act No. 43, Apr. 11, 1907.

518. **Michigan**: Amending sec. 25, chap. 3, act No. 164, acts, 1881 (sec. 4691 Compiled Laws, 1897), relative to duties of assessor.

Substituting "treasurer" for "assessor," and prescribing requirements for surety bond. Providing for deposit and care of school moneys in excess of $3,000.

Sec. 1, pp. 112–113, act No. 91, May 15, 1907.

519. **Michigan:** Amending sec. 6, act No. 48, Laws, 1901, as amended by act No. 43, acts, 1907, providing for the payment of certain damages for sheep killed by dogs or wounded by them in certain cases.

Providing for procedure in case of deficit in fund.

Act No. 331, June 28, 1907.

520. **Minnesota:** Relating to the organization of school districts.

Providing for the distribution of moneys, funds, and credits in cases of the formation of new districts, either by change of boundary, division, or union.

Chap. 109, Apr. 5, 1907.

521. **Minnesota:** Providing that officers of school districts may designate depositories for school district moneys, and requiring the deposit of school district moneys in such depositories, and exempting school district treasurers from liability for such deposits.

Chap. 133, Apr. 9, 1907.

522. **Minnesota:** Permitting investment of the sinking funds of school districts in certain securities, and relieving the treasurers of such districts and the sureties upon their official bonds from liability for any losses incurred by reason of such investments.

Permitting investments in state bonds, and in bonds of any county, school district, city, town, or village of the State.

Chap. 354, Apr. 23, 1907.

523. **Missouri:** Repealing, and reenacting with amendments, sec. 9850, art. 1, chap. 154, Revised Statutes, 1899, relative to settlements of county or township treasurers.

Sundry minor amendments concerning procedure of settlement. County or township treasurer to make detailed financial statement to school district clerks.

H. B. No. 218, page 426, Mar. 20, 1907.

524. **New Jersey:** Providing for recovery of money, funds, or other property wrongfully converted, disposed of, or misappropriated, or damage or other compensation for wrongfully converting, disposing of, or misappropriating money, funds, or other property belonging to townships and school districts.

Prescribing procedure.

Chap. 162, Apr. 10, 1908.

525. **New Jersey:** Regulating and providing for government of cities.

A general charter; sec. 24, par. VI, authorizes tax for the support of public schools and for erecting and maintaining public schoolhouses: "*Provided, however,* That the sum to be raised for school purposes shall be first fixed and determined by the board of school estimates as provided by law, and not by the board of estimates appointed under this act."

Chap. 179, Apr. 11, 1908.

526. **New Jersey:** Amending sec. 185, chap. 1, Laws, 1903 (sp. sess.), relative to custodian of school moneys.

Providing for the appointment of a custodian in joint school districts, and for a collector in certain instances.

Chap. 223, Apr. 13, 1908.

527. **North Dakota:** Amending sec. 1016, Revised Codes, 1905, relative to reports by city treasurer of receipts and disbursements of moneys of independent school districts.

Chap. 222, Mar. 14, 1907.

528. **Ohio**: Supplementing sec. 4042, Revised Statutes (1905), authorizing boards of education of districts having depositories for school moneys to dispense with a treasurer of such funds.

Clerk to perform duties of treasurer in such cases.

H. B. 830, p. 205, Apr. 27, 1908.

529. **South Dakota**: Amending secs. 1, 3, and 5, chap. 156, Laws, 1905, relative to the investment of sinking funds of school districts in certain securities.

Chap. 101, Mar. 6, 1907.

530. **Texas**: Amending sec. 94, chap. 124, Acts, 1905, relative to apportionment of school funds among the different school districts in each county.

Removing distinctions between white and colored school districts as such.

Chap. 106, Apr. 16, 1907.

531. **Vermont**: Repealing sec. 851, Statutes, 1894, relative to minimum expenditures of district school moneys.

See act No. 60, Dec. 18, 1906. (Enactment No. 357.)

Act. No. 46, Dec. 19, 1906.

532. **Virginia**: Amending and reenacting sec. 1449, Code, 1904, relative to the duties of county treasurer as to school funds, and his compensation.

Including funds under control of district school boards.

Chap. 309 (in part), Mar. 14, 1908.

533. **Virginia**: Amending and reenacting sec. 1517, Code, 1904, relative to auditing and paying claims against school districts.

Providing for payment of treasurers' commissions.

Chap. 325, Mar. 14, 1908.

534. **Virginia**: Amending in a minor manner and reenacting sec. 1509, Code, 1904, relative to payment of warrants upon state school funds by city or county treasurer.

Chap. 329, Mar. 14, 1908.

535. **Washington**: Amending sec. 95, chap. 118, Laws, 1897 (Code of Public Instruction), relative to sale of school property in cities having a population of 10,000 and over.

Authorizing sale without vote of electors, under certain conditions.

Chap. 143, Mar. 13, 1907.

536. **Washington**: Amending sec. 88, chap. 118, Laws, 1897 (Code of Public Instruction), relative to treasurers of school districts.

Providing, in certain instances, for the issuance of one general certificate authorizing county treasurer to pay warrants for monthly bills of school districts.

Sec. 8, chap. 240, Mar. 18, 1907.

537. **Wyoming**: Providing for regulating the deposit and safekeeping of all public money belonging to the State, or to any county, city, town, school district or other subdivision therein; creating boards of deposit; prohibiting the making of profit out of public funds by any state, county, municipal, or other officer; prescribing penalties and appropriating money.

Chap. 30, Feb. 15, 1907.

(b) Local (County, District, Municipal) Bonds and Indebtedness.

The volume of legislation relating to the creation and payment of bonded and other forms of indebtedness incurred for educational purposes for local units is indicative of the recognized importance of

this element of support and of the increasing pressure developed by reason of the constantly growing demands, both qualitative and quantitative, made upon the public schools. Exclusive of the large number of special and local acts dealing with this subject, the following list contains over 70 legislative measures and judicial decisions of greater or less importance. Aside from those legislative enactments which undoubtedly arose from conditions of administrative expediency, the following seem worthy of special attention: Massachusetts (568); Minnesota (570), (571); New York (581); South Carolina (591), (592); Tennessee (594); Texas (596), and West Virginia (606).

538. **Arizona:** Amending par. 2194 (sec. 65, chap. 6, tit. 19), Revised Statutes, 1901, relative to the use of territorial and county apportionment of school moneys.

Authorizing the expenditure of unexpended balances for repairing and improving school property and purchasing school furniture; prohibiting use of, for payment of interest or principal of bonded debts or for purchase of land for school purposes.

Sec. 11, chap. 67, Mar. 21, 1907. (Jan. 1, 1907.)

D 539. **Arkansas** (1906): The act of 1905 (Acts, 1905, p. 154), authorizing the special school district of Little Rock to borrow money and mortgage the real property of the district therefor, empowers the district to mortgage all or part of the real property of the district as the school board may deem advisable.—Schmutz *v.* Special School Dist. of Little Rock, 95 S. W., 438.

D 540. **Arkansas** (1906): A special school district is not within the constitutional provisions declaring that no county, city, town, or municipality shall issue any interest-bearing evidence of indebtedness.—Schmutz *v.* Special School Dist. of City of Little Rock. 95 S. W., 438.

541. **California:** Adding sec. 1888a to Political Code. 1906, relative to the levy of taxes for the payment of school district bonds.

Providing for proportional liability of indebtedness in cases of merged, annexed, new, and joint districts.

Chap. 508, Mar. 23, 1907.

D 542. **California** (1905): Constitution, art. 11, sec. 6, provides that city charters adopted by authority of the constitution shall be subject to and controlled by general laws, except in municipal affairs. Art. 4, sec. 25, subdiv. 27, prohibits the passage of local laws for the management of common schools. Art. 9, sec. 5, requires the legislature to provide for a system of common schools. Pol. Code, sec. 1576, provides, in effect, that a city, together with territory annexed thereto for school purposes, shall constitute a separate school district. Secs. 1880–1887 authorize the board of trustees of a school district to issue bonds to raise money for purchasing school sites or building and improving school houses, etc., and prescribe the procedure for the issuance of such bonds. *Held*, that while the city may, when authorized by its charter, issue municipal bonds for school purposes, yet its power so to do is not exclusive, and the school district, embracing the city and territory attached thereto for school purposes, may, independently of the city, issue district school bonds in the manner prescribed by the Political Code.—Los Angeles City School Dist. *v.* Longden, 83 P., 246; Los Angeles City High School Dist. *v.* Same, id., 248.

543. **Connecticut:** Authorizing the Northwest School District of Hartford to issue bonds.

Permitting issuance not to exceed $200,000 at 4 per cent interest for fifty years, for payment of debts.

Act No. 59, Special Acts, Mar. 26, 1907.

544. **Connecticut:** Amending sec. 1, chap. 137, Acts, 1905, concerning payment of debts of joint school districts.

Extending provisions to school districts which have already become indebted.

Chap. 80, May 21, 1907.

545. **Connecticut:** Authorizing the Washington School District of Hartford to issue bonds.

Permitting issuance not to exceed $100,000, at no more than 4 per cent interest, for no more than twenty-five years.

Act. No. 82, Special Acts, Apr. 11, 1907.

546. **Connecticut:** Authorizing the Arsenal School District of Hartford to issue bonds.

Permitting maximum issuance of $200,000; interest, 4½ per cent; time, fifty years.

Act No. 135, Special Acts, May 1, 1907.

547. **Connecticut:** Authorizing the city of New London to issue school bonds.

Permitting maximum issue of $175,000; interest, 4 per cent; time, thirty years.

Act No. 194, Special Acts, May 14, 1907.

548. **Delaware:** Authorizing and empowering the board of public education in Wilmington to issue bonds for the purpose of erecting, furnishing, and equipping new schoolhouses.

In reality an amendment to chap. 92, Laws, 1905, providing for the organization and control of the public schools of Wilmington, so as to permit the board of education to borrow not to exceed $20,000 in any one year for building purposes.

Chap. 93, Apr. 6, 1905.

549. **Delaware:** Prescribing the method by which school districts may borrow money for the purpose of building and furnishing or improving and enlarging schoolhouses.

Prescribing procedure—special election called upon petition of ten or more freehold taxables. Providing for issuance and redemption of bonds.

Chap. 122, Apr. 4, 1907.

550. **Delaware:** Repealing and reenacting secs. 1 and 2, chap. 93, Laws, 1905, authorizing and empowering "The Board of Public Education in Wilmington" to issue bonds for the purpose of erecting, furnishing, and equipping new schoolhouses in the city of Wilmington.

Increasing amount of immediate issue to $160,000, and providing for method of payment.

Chap. 126, Mar. 4, 1907.

D 551. **Georgia** (1908): Act of Dec. 18, 1900 (acts, 1900, p. 405), established the public-school system in the town of R., giving exclusive management to a board of school commissioners. The act provided that the funds supporting the school should be derived from four sources, one of which was a tax not to exceed one-half of one per cent by the council of the town, on recommendation of the school board. Such board recommended the levy of a tax of one-half of one per cent for the maintenance of a school for the scholastic year. The council refused to levy the tax. Act of Aug. 21, 1905 (acts, 1905, p. 514), repealed the former act. *Held* not to have a retrospective effect so as to impair the obligation of a contract made by virtue of the repealed law.—Dennington *v.* Town of Roberta, 61 S. E., 20.

D 552. **Illinois** (1904): Since under the direct provisions of constitution, art. 9, sec. 12, no school district has power to become indebted for any purpose to an amount, including its existing indebtedness, in the aggregate exceeding 5 per centum on the value of the taxable property therein, Laws, 1901, p. 296, amending the school law (Laws, 1899, p. 277), secs. 41,

42, providing that any school district having a population of at least 2,000 inhabitants is authorized to establish and maintain a high school, and authorizing the election of a board of education therefor, are ineffectual to authorize a district to incur a debt beyond 5 per centum of the taxable property in a school district.—Russell *v.* High School Board of Education of School Dist. No. 131. 72 N. E., 441; 212 Ill., 327.

D 553. **Illinois** (1906): Constitution, art. 9, sec. 12, provides that no municipal corporation shall be allowed to become indebted to exceed 5 per cent of the value of the taxable property. Hurd's Rev. St., 1905, p. 1823, chap. 122, sec. 202, provides that city authorities may levy for school purposes a tax "not to exceed two and one-half per cent for building purposes." *Held*, that a city can levy a 2½ per cent tax to complete a school building for which it is already indebted to the constitutional limit.—People *v.* Chicago & T. R. Co., 79 N. E., 151; 223 Ill., 448.

554. **Indiana:** Transferring to the special school revenue of school towns taxes in the possession of but which have been illegally levied by boards of school trustees of incorporated towns for the payment of bonds illegally issued by such boards for money with which to repair and improve school buildings.

Chap. 55, Feb. 25, 1907.

555. **Indiana:** Empowering the board of school trustees in cities of the second class (45,000–100,000) to issue, negotiate, and sell bonds of the school city or corporation (maximum, $150,000) to procure means to erect school buildings in such school city or corporation, or to pay for the cost of buildings already erected therein, or any other indebtedness of the school city or corporation; to levy and collect special taxes for the payment of such bonds.

Chap. 107, Mar. 5, 1907.

556. **Indiana:** Amending sec. 4, chap. 200, Laws, 1903 (sec. 5915y, Burns' Annotated Statutes, Supplement, 1905), relative to additional bond issues for school purposes.

Chap. 224, Mar. 9, 1907.

557. **Indiana:** Authorizing and empowering boards of trustees of school cities of all cities incorporated under the general laws of this State and boards of trustees of school towns of all incorporated towns of this State to issue bonds for the purpose of funding or refunding their indebtedness, reducing the rate of interest on preexisting obligations, or taking up or canceling bonds, notes, or other obligations already due or which shall hereafter become due, and making it the duty of the board of trustees of such school cities or school towns to levy taxes for the payment of the interest, and authorizing the board of trustees of such school cities and school towns to provide sinking funds for the liquidation of the principal of such bonds.

Chap. 263, Mar. 12, 1907.

558. **Indiana:** Providing for the raising of funds for the purchase of school sites and erection of buildings thereon in incorporated towns having a population of not more than two thousand.

Authorizing board of school trustees, by and with the consent of board of trustees of town, to issue bonds not to exceed $6,000 in amount; providing for refunding, sale of property, special tax levy, and application of surplus revenue.

Chap. 268, Mar. 12, 1907.

559. **Indiana:** Authorizing the board of school trustees in incorporated towns or cities of a certain population (less than 5,000) to negotiate and sell the bonds of school towns or cities (maximum, $40,000) to procure

the means with which to erect school buildings, by and with the consent of the board of trustees of any incorporated town or the common council of any city in which such school town or city is located, and authorizing the levy and collection of an additional special school tax and the application of the surplus special school revenue for the payment of such bonds.

Chap. 285, Mar. 12, 1907.

560. **Iowa:** Repealing chap. 140, Laws, 1906, relative to school district bonds, and enacting a substitute.

Sundry minor amendments concerning procedure for issuance, designation, and redemption.

Chap. 152, Apr. 4, 1907.

561. **Kansas:** Authorizing board of education of the city of Lawrence to increase rate of interest upon certain bond issue.

Applies to bond issue of $40,000 (Apr., 1907) for the erection of a manual-training high-school building, which bonds can not be sold. Authorizing board of education to increase rate of interest from 4 to 5 per cent. Providing for submission to electors.

Chap. 72, Jan. 21, 1908.

562. **Kansas:** Enabling school districts to issue bonds to pay outstanding warrants.

Applicable to districts having a valid indebtedness exceeding $5,000. Issuance of refunding bonds not to exceed 10 per cent of assessed valuation of taxable property. Must conform to secs. 517–528, General Statutes, 1901, and sec. 9, chap. 472, Laws, 1905.

Chap. 324, Mar. 5, 1907.

563. **Kansas:** Relating to issue of bonds to erect, furnish, and equip county high-school buildings by counties that have already established county high schools under the provisions of chap. 180, Laws, 1897, as amended by chap. 433, Laws, 1903.

Relating to counties having a population of less than 2,500. Providing for issuance of bonds and prescribing conditions therefor.

Chap. 332, Mar. 12, 1907.

564. **Massachusetts:** Authorizing the city of New Bedford to incur indebtedness for school purposes.

Permitting city of New Bedford, for the purpose of purchasing sites and erecting three new school buildings and an addition to a fourth, to incur indebtedness beyond the limit fixed by law to an amount not exceeding $225,000.

Chap. 185, Mar. 12, 1907.

565. **Massachusetts:** Authorizing the city of Lynn to incur indebtedness for school purposes.

Permitting the city of Lynn to borrow money to the amount of $150,000 in excess of the debt limit fixed by law, for the purchase of a site and the erection of a building for the classical high school.

Chap. 192, Mar. 12, 1907.

566. **Massachusetts:** Authorizing the town of Revere to incur indebtedness for a new high school building.

Permitting the town of Revere to borrow money beyond the debt limit fixed by law to an amount not exceeding $125,000, for the purchase of a site and the erection of a new high school building.

Chap. 230, Mar. 20, 1907.

567. **Massachusetts:** Authorizing the city of Fall River to incur indebtedness for school purposes.

Permitting city of Fall River to incur indebtedness beyond the debt limit fixed by law to an amount not exceeding $200,000, in order to acquire land for school purposes and to build schoolhouses.

Chap. 338, Apr. 24, 1907.

568. **Massachusetts:** Relative to the construction of schoolhouses in the city of Boston.

Providing for the annual issuance of bonds not exceeding $1,000,000 for 1907 and 1908 and not exceeding $500,000 thereafter, for the construction of schoolhouses in the city of Boston. School committee to estimate need of school accommodations and board of schoolhouse commissioners to certify cost.

Chap. 450, May 24, 1907.

569. **Michigan:** Amending sec. 1, chap. 6, act No. 164, acts 1881 (sec. 4717, Compiled Laws, 1897), authorizing school districts to borrow money.

Requiring majority (formerly, two-thirds) vote at district meeting. Providing for estimate by board of education of amount necessary to be borrowed. Substituting for graded limitation of indebtedness a general limitation applicable to all school districts. Special proviso for school districts having one hundred or more children.

Act No. 256, June 27, 1907.

570. **Minnesota:** Authorizing cities having a population of more than 50,000 inhabitants to issue and sell bonds for public high school buildings and sites.

Maximum issue $800,000. Authorization by city council before January 1, 1910. Excepting such bonds from debt limit. Prescribing term and method of issuance.

Chap. 20, Feb. 27, 1907.

571. **Minnesota:** Authorizing cities having a population of more than 50,000 inhabitants to issue and sell bonds for public graded school buildings and sites.

Maximum issue $300,000. Authorization by city council before January 1, 1910. Excepting such bonds from debt limit. Prescribing term and method of issuance.

Chap. 21, Feb. 27, 1907.

572. **Minnesota:** Authorizing municipalities to issue bonds to the State of Minnesota.

Municipality to include school districts. Prescribing procedure for issuance.

Chap. 122, Apr. 6, 1907.

573. **Minnesota:** Amending sec. 1327, Revised Laws, 1905, relative to powers and duties of school boards.

Providing for issuance of orders for the payment of indebtedness which can not be paid for want of funds.

Sec. 2, chap. 445, Apr. 25, 1907.

D 574. **Minnesota** (1906): Gen. Laws, 1905, pp. 93, 94, chaps. 76, 77, legalizing school bonds theretofore voted upon by cities for high schools and graded schools under the provisions of Gen. Laws 1893, p. 333, chap. 204, and acts amendatory thereto, are curative acts, and not special legislation, in conflict with Const. art. 4, secs. 33, 34, because the classification is arbitrary, in that all bonds are not included therein, and the acts are limited to cities wherein at the election a two-thirds majority of the votes of those voting on the proposition was obtained in favor of the bonds, and the cities to which the law applies are those that voted for the issuance of bonds under the law of 1893 as amended.—State *v.* Brown, 106 N. W., 477; 97 Minn., 402.

575. **Montana:** Validating the acts of boards of county commissioners in establishing and locating county free high schools, and of boards of county free high-school trustees in issuing bonds for the erection of high-school buildings.

Chap. 61, Mar. 1, 1907.

576. **Nebraska**: Repealing, and reenacting with amendments, secs. 4, 5, and 6, subdiv. 15, chap. 79, Compiled Statutes, 1905 (secs. 11822–11824, Cobbey's Annotated Statutes, 1903), relative to bonds for school purposes.

Excepting districts having over 150 (previously, 200) school children from 5 per cent limitation. Permitting such districts to issue bonds not to exceed 10 per cent of assessed valuation.

Chap. 130, Apr. 5, 1907.

577. **Nevada**: Enabling the several school districts of the State to issue bonds for the purpose of erecting and furnishing school buildings, or for purchasing ground, or for refunding floating funded debts, and providing for the payment of the principal and interest.

Chap. 59, Mar. 12, 1907.

578. **New Jersey**: Authorizing counties, cities, towns, townships, boroughs, villages, school districts, committees, commissioners, and all other municipalities to fix the rate of interest on bonds hereafter issued pursuant to the authority of any general or special law or laws of the State at not exceeding 5 per cent per annum.

Chap. 19, Mar. 18, 1908.

579. **New Jersey**: Repealing chap. 277, Laws, 1906, as supplementing secs. 103, 104, 105, chap. 1, Laws, 1903 (sp. sess., Oct. 15), relative to bonds issued by consolidated school districts existing previous to the passage of chap. 1, Laws, 1903, establishing a thorough and efficient school system, etc.

Chap. 86, Apr. 17, 1907.

580. **New Jersey**: Authorizing municipalities to borrow money to meet the necessities of public schools.

Special provision to meet needs for March, April, May, and June of 1908.

Chap. 271, Apr. 14, 1908.

581. **New York**: Authorizing the city of Buffalo to issue bonds to the amount of $600,000 for the purchase of school sites and the erection and enlargement of school buildings.

Chap. 53, May 19, 1908.

582. **New York**: Legalizing certain bonds for high school in the city of Syracuse as authorized by chap. 659, Laws, 1905, as amended by chap. 58, Laws, 1907.

Chap. 592, July 16, 1907.

D 583. **North Carolina** (1906): School districts are public quasi corporations, included in the term "municipal corporations" as used in art. 7, sec. 7, of our constitution, and so come within the express provisions of sec. 7, that "no county, city, or other municipal corporation, shall contract any debt, pledge its faith, or loan its credit, etc., nor shall any tax be levied unless by a vote of the qualified voters." And the principle of uniformity is established and required by sec. 9 of this article.—Smith *v.* Board of Trustees of Robersonville Graded School, 53 S. E., 524.

584. **North Dakota**: Amending sec. 912, Revised Codes, 1905, relative to the issuance of school bonds.

Reducing interest rate from 7 to 5 per cent, and fixing maximum limit of issue at 5 per cent of assessed valuation for all districts.

Sec. 9, chap. 95, Mar. 19, 1907.

585. **Oklahoma**: Authorizing boards of education of cities and school districts to issue bonds.

Expenditure for sites and buildings. Limit of indebtedness, 5 per cent of assessed valuation.

Chap. 77, S. B. 458, p. 673, May 29, 1908.

586. **Pennsylvania:** Repealing act No. 225, Laws, 1871, empowering court of common pleas to authorize school directors to borrow money.

Bonds issued in noncompliance with said act to be valid.

Act No. 154, May 10, 1907.

587. **Pennsylvania:** Providing for the payment of the premiums on bonds of county, city, borough, school district, and township employees.

Allowing municipality to pay premium if bond is required to be indorsed by surety company.

Act No. 173, May 23, 1907.

588. **Pennsylvania:** Supplementing act No. 260, Acts, 1903, relative to the annexation of any city, borough, township, or part of a township, to a contiguous city, and providing for the indebtedness of the same.

Providing for the preservation of the rights of creditors and liens, and for funding the debt of the municipality or school district annexed.

Act No. 271, June 1, 1907.

589. **Pennsylvania:** Proposing to amend sec. 8, art. 9 of the constitution, allowing counties, cities, boroughs, townships, school districts, or other municipal or incorporated districts to increase their indebtedness.

Increasing lawful indebtedness from 7 to 10 per cent.

Jt. Res. No. 2, 1907 (p. 834).

590. **Rhode Island:** Authorizing the city of Pawtucket to issue bonds ($100,000) for school construction purposes.

Chap. 1611, Apr. 10, 1908.

591 *. **South Carolina:** Providing for the issuing of bonds in public school districts.

Act No. 246, p. 522, Feb. 19, 1907.

592 *. **South Carolina:** Exempting from taxation all bonds issued by school districts for erection of school buildings, for equipment, for maintaining public schools, or for paying indebtedness.

Chap. 473, Feb. 14, 1908.

593. **South Dakota:** Relating to issuance of bonds by boards of education in cities of the first class, and bonds for school districts created by special act.

Arts. IX and X, chap. 135, Mar. 13, 1907.

594. **Tennessee:** Authorizing incorporated boards of education of public schools in cities and taxing districts of 100,000 inhabitants or over, according to the federal census of 1900, or any future census, to issue bonds for certain school purposes.

Fixing maximum issue at $300,000, and providing for payment of interest and for redemption.

Chap. 41, Feb. 12, 1907.

595. **Texas:** Amending the charter of the city of Dallas and amendatory acts thereto, by adding sec. 120b, confirming, ratifying, and validating certain series of municipal coupon bonds issued by the city of Dallas.

Among others, bonds issued for high and other school buildings.

Special Laws, chap. 25, Mar. 16, 1907.

596. **Texas:** Amending sundry sections of the charter of the city of Galveston.

Authorizing issuance of bonds for the construction, maintenance, and repair of public schoolhouses. (Sec. 7–71b.)

Special Laws, chap. 63, Apr. 5, 1907.

D 597. **Texas** (1908): The inherent power of a legislature to pass laws not prohibited by the constitution can not be invoked to render a special act

of the legislature valid, creating an independent school district (Sp. Laws, 1907, p. 139, chap. 8), and transferring a preexisting indebtedness of a municipality included therein to the new district, where the act was passed as a special or local law, contrary to constitution, art. 3, sec. 57, requiring notice of intention to apply for the passage of the act, and could only have been passed under the special power granted in sec. 3, art 7, of the constitution, providing that the legislature may provide for the formation of school districts within counties of the State by general or special law, without the local notice required in other cases of special legislation, which section did not authorize the transfer of a bonded indebtedness to the new district created, and hence a law passed pursuant thereto, which attempted to transfer such indebtedness, was void.—Cummins *v.* Gaston, 109 S. W., 476.

598. **Utah:** Amending sec. 35, chap. 107, relative to the bonded indebtedness of taxable property in school districts.

Fixing maximum total indebtedness at 4 per cent of the value of the taxable property.

Chap. 81, Mar. 14, 1907.

599. **Utah:** Amending sec. 1944, Revised Statutes, 1908, relative to issuance, etc., of bonds in city school districts.

Chap. 133, Mar. 23, 1907.

600. **Virginia:** Authorizing county school boards to loan to the district school boards of their respective counties funds belonging to said county school boards derived by gift or devise, taking the obligation of the district school boards for the same.

Maximum loan, $1,000; to be used for the erection of schoolhouses.

Chap. 223, Mar. 12, 1908.

601. **Washington:** Amending secs. 117, 119, 121, chap. 118, Laws, 1897 (Code of Public Instruction), relative to the issuance of bonds by school districts.

Including joint school districts within operation of act. Decreasing rate of interest on bonds from 10 to 6 per cent. Defining necessary school expenses. Providing for investment of sinking funds; tax levies in joint districts.

Chap. 101, Mar. 11, 1907.

602. **Washington:** Amending sec. 117, chap. 118, Laws, 1897 (Code of Public Instruction), relative to limit of bonded indebtedness of school districts.

Lowering rate of interest from 10 to 6 per cent. Defining necessary school expense.

Sec. 7½, chap. 240, Mar. 18, 1907.

603. **Washington:** Amending sec. 120 (Code of Public Instruction), relative to sale of bonds of school districts.

Sec. 9, chap. 240, Mar. 18, 1907.

604. **Washington:** Amending sec. 121 (Code of Public Instruction), relative to payment of bonds.

Providing for investment of sinking fund.

Sec. 10, chap. 240, Mar. 18, 1907.

605. **West Virginia:** Authorizing the board of education of the school district of Wheeling to borrow money and issue bonds for the purchase and construction of property and buildings.

Maximum total issue, 2 per cent of assessed valuation of property. Submission to vote.

Chap. 7, Mar. 3, 1908 (sp. sess.).

606. **West Virginia:** Providing for investment of sinking funds established for the purpose of paying off the bonded indebtedness of any county, district, school district, independent school district, city, town, or village.

Chap. 11, Feb. 21, 1908.

607. **Wisconsin:** Creating secs. 553n and 553o, Statutes, 1898, authorizing any village to bear a part of the cost of county schools of agriculture and domestic economy, and to issue bonds therefor.

Limiting expenditure to one-fifth of the cost of such school.

Chap. 11, Mar. 16, 1907.

608. **Wisconsin:** Amending subdiv. 3, sec. 926–11, Statutes, 1898, relative to the power of the common councils of cities under special charters to issue bonds for school purposes.

Authorizing issuance of bonds for site and buildings for parental school.

Chap. 114, May 20, 1907.

609. **Wisconsin:** Legalizing certain bonds heretofore issued by school districts organized under the township system and authorizing issue of bonds by such districts for other purposes.

Chap. 199, June 12, 1907.

610. **Wisconsin:** Amending sec. 261, Statutes, 1898, as amended by chap. 129, Laws, 1899, as amended by chap. 123, Laws, 1901, relative to school district loans.

Requiring two-thirds of assessed valuation to be on real estate.

Chap. 216, June 14, 1907.

(c) Local (County, District, Municipal) Taxation for School Purposes.

As noted in the review of the legislation concerning local taxation for school purposes during 1904–1906, there is a decided tendency on the part of the States to give to local school jurisdictions a considerably wider authority in the provision of adequate support for public schools. This tendency is, in fact, but a part of the larger and more inclusive one which is slowly, but certainly, becoming characteristic of the attitude of the American people toward their public schools: that is, to utilize, in as large manner as is consistent with wise public economy, all of the available means which may properly be directed toward the increase of the material resources available for meeting the educational necessity. The enactments in Arkansas (439), (613), Georgia (618), Indiana (631), Louisiana (636), and Washington (670), are typical of the larger movement represented by this legislation to increase the limit of local taxation for school purposes.

611. **Arizona:** Amending par. 2256, sec. 126, Revised Statutes, 1901, relative to special school district tax.

Adding provisions regarding tax levy for construction, repairing, equipment, etc., of school buildings; for additional school lands; and for water for irrigation.

Chap. 60, Mar. 21, 1907.

612. **Arizona:** Amending par. 2256 (sec. 126, chap. 15, tit. 19), Revised Statutes, 1901, relative to the levying of a special school district tax.

Section modified so as to accord with the new provision regarding minimum length of school term—six months. (See enactment No. 968.)

Sec. 20, chap. 67, Mar. 21, 1907. (July 1, 1907.)

613*. **Arkansas:** Amending sec. 7590, Kirby's Digest, 1904, relative to powers of annual school meetings.

Raising maximum limit of local tax levy for school purposes from one-half of 1 per cent to seven-tenths of 1 per cent.

Sec. 2, act No. 189, Apr. 17, 1907.

614. **California:** Amending sec. 1576, Political Code, 1906, relative to formation of school districts, providing for the addition of territory thereto and taxaton thereof.

Providing that last assessment roll of county assessor shall be basis of taxation of annexed district.

Chap. 83, Mar. 4, 1907.

615. **Delaware:** Amending sec. 11, chap. 92, Laws, 1904–5, relative to determination and appropriation of school taxes in the city of Wilmington.

Appropriation for general expenses for 1907–8 to be not less than $188,000 (not to exceed $182,000 in 1905–6), with annual increase for any succeeding year not to be less than 2 per cent (formerly not to be greater than 1½ per cent). Adding provision that council shall have power to designate what proportion of any appropriation above the minimum shall be used to adjust, equalize, and increase teachers' salaries.

Chap. 125, Mar. 1, 1907.

616. **Delaware:** Directing county treasurer of Newcastle County to pay to "The Board of Public Education in Wilmington" all sums received or to be received from colored school taxes assessed against real estate in the city of Wilmington for the years 1902, 1903, 1904, and 1905, and providing for the distribution of the same.

Chap. 127, Mar. 4, 1907.

D 617. **Florida** (1908): Under Laws, 1907, p. 3, chap. 5596, the general power is conferred on county commissioners to determine the amount to be raised for all county purposes, and by chap. 5606, p. 84, Laws, 1907, they are required to ascertain and determine the amount to be raised for county purposes, including current expenses, etc., and are authorized to levy a tax of not more than 5 mills on the dollar on the property in the county, and it is further provided that the county commissioners shall levy a tax not to exceed 7 mills nor less than 3 mills on the property in the county for county school purposes. *Held* not to authorize county commissioners to revise the decision of the county board of public instruction under Gen. Stat., 1906, sec. 347, as to the millage required for the maintenance of the county schools, when it is within the constitutional limits, and the estimates include no illegal items.—Tomasello *v.* Board of Public Instruction for Santa Rosa County, 45 So., 886.

618. **Georgia:** Amending act No. 59, p. 425, acts, 1905, relative to creation and operation of local tax district schools, for levying and collection of local tax by the counties for educational purposes, for laying off of counties in school districts, and for other purposes.

Amending caption of the act so as to provide for its proper enforcement, for laying off of counties into districts of reasonable size, for election of district trustees, whether a local tax is levied and collected or not. Providing also a correct method of assessing and collecting taxes for school purposes in local districts; making corporate property subject to local taxation.

Act No. 549, p. 61, Aug. 21, 1906.

D 619. **Georgia** (1906): The third and fourth sections of the act approved August 23, 1905 (acts, 1905, pp. 427, 428), providing for the levying and collection of a local tax by school districts laid off in the manner prescribed, are inoperative, inasmuch as the method provided for the assessment of the tax is antagonistic to art. 7, sec. 2, par. 1 of the constitution, because an ad valorem tax is imposed only upon the property of those taxpayers required by law to make return of their property to the county tax receiver, and not upon the property of another class of taxpayers, such as railroad companies, who are required to make returns to the comptroller-general.—Brown *v.* Southern Ry. Co., 54 S. E., 728.

D 620. **Georgia** (1906): The act approved August 23, 1905 (acts, 1905, p. 425), entitled "An act to provide for the creation and operation of local tax district schools, for the levying and collection of local tax by counties for educational purposes, for the laying off of counties in school districts, and for other purposes," is not unconstitutional because of the proviso in the second section of the body of the act, whereby incorporated towns operating a public-school system are not, without the consent of the municipal authorities, included in the election held in the county for the purpose of determining whether a school tax shall be levied. The subject-matter of the proviso is germane, and is not at variance with the title of the act.—Georgia R. and Banking Co. *v.* Hutchinson, 54 S. E., 725.

D 621. **Georgia** (1907): Act of Aug. 23, 1905 (acts, 1905, p. 425), as amended by act of Aug. 21, 1906 (acts, 1906, p. 61), providing for the creation of local tax district schools, is not a violation of the uniformity rule of the constitution as to taxation for the reason that the scheme of taxation as to amount and method of collection is different when taxes are levied and collected for district schools from what it is when collected for county schools.—Edalgo *v.* Southern Ry. Co., 58 S. E., 846.

622. **Idaho:** Amending sec. 84, H. B. No. 42, Laws, 1899, as amended by sec. 2, S. B. No. 98, Laws, 1903, relative to the powers and duties of boards of school trustees.

Increasing maximum levy of special taxes from 15 to 20 mills.

H. B. No. 201, p. 304, Mar. 13, 1907.

623*. **Illinois:** Amending sec. 1, art. 8, acts, 1889, as amended by acts, 1899, p. 350, sec. 202, chap. 122, Hurd's Revised Statutes, relative to taxation for the establishment and maintenance of a system of free schools.

Adding proviso that in cities of less than 100,000 inhabitants the expense of improvement, repair, or benefit of school buildings or property shall be paid from that portion of tax levied for building purposes.

Adding further proviso that no election nor petition is necessary to levy tax for repair or improvement or to pay any special tax or assessment upon the property.

H. B. 186, p. 519, May 20, 1907.

624. **Illinois:** Repealing acts, 1893, p. 176, relative to boards of school inspectors elected under special acts, as amended by p. 292, acts, 1897; and p. 99, Acts, 1895, relative to increasing the number of school inspectors elected under special acts from six to seven members; and repealing and reenacting a substitute, p. 381, acts, 1905, relative to election of boards of inspectors in certain cases.[a]

H. B. 394, p. 525, May 25, 1907.

D 625. **Illinois** (1904): Where taxes have been paid for school purposes without objection or protest, their use for the purposes for which they were levied and designed will not be prevented by any mere technical objections as to the manner in which the levy was made.—Trustees of Schools *v.* Board of School Inspectors of City of Peoria, 115 Ill. App., 479.

D 626. **Illinois** (1905): Priv. Laws, 1857, p. 219, chap. 11, divides the city of Joliet into school districts, provides for the election of school inspectors, and gives the city council power to levy taxes for school purposes. Hurd's Rev. Stat. 1903, p. 1714, chap. 122, increases the powers of the school inspectors, giving them authority to employ teachers and to fix the amount of their compensation, and to build or purchase buildings, etc., but provides that all moneys necessary for school purposes shall be raised as "now provided by law," and that they shall be held by the treasurer

[a] The taxing power should not be held to exist in a body seeking to exercise such power unless the power is conferred upon such body in clear and unequivocal terms.—People *v.* Mottinger, 215 Ill., 256. (Refers to city of Joliet; see School Laws of 1907, special edition of 1907, p. 8.)

subject to the order of the school inspectors on warrants to be countersigned by the mayor and city clerk. *Held*, that the latter statute did not give the board of school inspectors authority to levy taxes by repealing the former statute by implication.—People *v.* Mottinger, 74 N. E., 160; 215 Ill., 256.

The provisions of Priv. Laws, 1857, p. 219, chap. 11, giving the city council of Joliet the right to levy taxes for school purposes, are not repealed by implication by the incorporation act of 1872 (Laws, 1871–72, p. 218), under which the city was incorporated, the subject of taxes not being mentioned in the statute, and art. 1, sec. 6, providing in express terms that all laws not inconsistent with the provisions of the statute should continue in force.—*Ibid.*

The provisions of Priv. Laws, 1857, p. 219, chap. 11, giving the city council of Joliet authority to levy taxes for school purposes, were not repealed by the general school law.—*Ibid.*

D 627. **Illinois** (1906): A taxpayer is entitled to enjoin a contract between the public-school board and the state board of education providing for the employment of critic teachers to be paid in part by the school district.—Linblad *v.* Board of Education of Normal School District, 77 N. E., 450; 221 Ill., 261; reversing judgment (1905), 122 Ill. App., 617.

D 628. **Illinois** (1906): A levy by a school district for building purposes is illegal unless the building has first been authorized by a vote of the people.—St. Louis, A. & T. H. R. Co. *v.* People, 79 N. E., 664.

Boards of education have authority to levy taxes only for educational and building purposes.—St. Louis, A. & T. H. R. Co. *v.* People. *Ibid.*

A board of education *held* authorized to levy a tax to pay for a heating plant to be installed in a school building the board had been authorized to construct by a vote of the people.—St. Louis, A. & T. H. R. Co. *v.* People. *Ibid.*

D 629. **Illinois** (1906): A certificate signed by all the members of the board of education of a city, to the effect that they require a certain sum "to be levied as a special tax for school purposes, and $8,500 for building purposes on the taxable property of our district" for a certain year, is sufficient to authorize the levy and extension of such building tax by the proper officers.—People *v.* Chicago and T. R. Co., 79 N. E., 151; 223 Ill., 448.

D 630. **Illinois** (1907): Peoria city charter (Priv. Laws, 1869, pp. 169, 170) declares that the board of school inspectors shall appoint trustees who shall raise all moneys under control of the school board, and keep a true and accurate account of money paid out on the board's order. The board is also required to determine the amount to be raised by taxation for the support of the schools, and to notify the city council of such amount, and the rate to be levied; the city council then being required to levy and collect the amount with other city taxes. *Held* that, no discretion being given to the city council as to the amount to be levied, such board was a "school authority," authorized to issue warrants in anticipation of taxes for ordinary and necessary expenses by Hurd's Rev. St. 1905, chap. 146a, sec. 2.—Gray *v.* Board of School Inspectors of Peoria, 83 N. E., 95; 231 Ill., 63.

631. **Indiana:** Amending and adding to sec. 5, chap. 32, Laws, 1905, and amending sec. 8, chap. 32, Laws, 1905, relative to the distribution of the special reserve portion of the state common school tuition fund.[a]

Reducing required local tuition tax from 40 to 25 cents per hundred dollars, excepting in cases of school corporations maintaining seven months term of school.

Providing for the transfer of unused surplus to the common school fund.

Chap. 237, Mar. 11, 1907.

[a] See enactment 221, pp. 48–49, Bureau of Education Bulletin, No. 3, 1906, State School Systems.

632. **Kansas**: Repealing, and reenacting with amendments, chap. 381, Laws, 1905, as amending sec. 6127, Compiled Laws, 1901, relative to the powers of electors at school meetings.

Granting authority to all districts to levy an annual tax of 2½ per cent (formerly, only districts having more than 500 population; others, 2 per cent). Authorizing payment of floating indebtedness from tax levy.

Chap. 318, Mar. 9, 1907.

633. **Kansas**: Repealing chaps. 406 (local act, Coffeyville), 409 (local act, Fort Scott), and 421 (local act, Pittsburg), Laws, 1905, and amending sec. 1, chap. 252, Laws, 1899, relative to regulation, support, and maintenance of public schools and erection of buildings in cities of the first class.

Limiting tax levy for support of public schools in cities of the first class to 20 mills; excepting in cities having population of more than 38,000, 17 mills. Such levies exclusive of levies for payment of interest on bonds or for sinking funds. Sundry minor amendments.

Chap. 330, Feb. 18, 1907.

634. **Kentucky**: Amending sec. 2969, Statutes, 1903, relative to taxation for common schools in cities of the first class.

Increasing required minimum levy from 33 cents to 36 cents. (Pertains to Louisville only; see chap. 52, Mar. 18, 1908, relative to classification of cities.)

Chap. 61, Mar. 24, 1908.

D 635. **Kentucky** (1907): Common School Law, sec. 78 (Ky. St. 1903, sec. 4440), provides, when the county superintendent notifies the trustees that a schoolhouse or the inclosures thereof have been condemned and need repairing or additions, or that the furniture, etc., is insufficient, or when it becomes necessary to purchase a new schoolhouse site, if there are no funds available the trustees shall levy a capitation or ad valorem tax, or both, to be applied to the purposes required. *Held*, that the section requires the trustees to make the levy when notified by the county superintendent that he has condemned the district's school facilities, and that they must make the levy when necessary to purchase a new schoolhouse site; or they, in their discretion, may make it without an order from the superintendent, when necessary to purchase a site, or erect, equip, repair, or add to a schoolhouse.—Creech *v.* Board of Trustees of Common School Dist. No. 15 of Harlan County, 102 S. W., 804, 31 Ky. Law. Rep., 379.

636. **Louisiana**: Amending and re-enacting sec. 63, act 214, Acts, 1902, relative to the tax for the support of public schools.

Removing certain limitations. Fixing minimum local levy at 3 mills (formerly, 1¼ mills). Exceptions.

Act No. 27, June 20, 1908.

D 637. **Louisiana** (1908): The estimate furnished to the city by the school board of amount needed to meet expenses of maintenance of schools for the year was not controlling on the city except to the minimum amount provided by the statute (No. 36, of 1873, p. 73).

Over and above the minimum amount, it was left to the discretion of the city council to determine whether an amount would be added.—State ex rel. Gasquet et al. *v.* Mayor, etc., of city of New Orleans, 46 So., 798.

638. **Maine**: Amending sec. 13, chap. 15, Revised Statutes, 1903, relative to tax for schools.

Decreasing per capita town school tax from 80 to 55 cents.

Sec. 1, chap. 111, Mar. 26, 1907. (Jan. 1, 1908.)

639. **Michigan**: Amending sec. 20, chap. 2, act No. 164, Acts, 1881 (sec. 4665, Compiled Laws, 1897), relative to powers of district school meetings.

Giving district meeting additional power to establish and support new district libraries, to pay premiums on surety bonds required of officers, to pay for transportation of pupils to and from school, and to devote

funds derived from 1-mill tax for said transportation. Providing that no legal subdivision of land more than 2½ miles from schoolhouse site shall be taxed for building said schoolhouse.

Sec. 1 (pp. 109–111), act No. 91, May 15, 1907.

640. **Michigan:** Amending sec. 9, chap. 3, act No. 164, acts, 1881 (sec. 4674, Compiled Laws, 1897), relative to school-district taxation.

Including item of payment of district officers in estimate of amount to be raised by taxation. Limiting compensation of said officers under certain conditions.

Removing limitation of tax in certain districts.

Sec. 1 (p. 111) act No. 91, May 15, 1907.

641. **Minnesota:** Amending sec. 1415, Revised Laws, 1905, relative to levy of additional taxes for school purposes in school districts having 50,000 inhabitants or more.

Raising maximum limit of additional levy from 3 to 4 mills; 3½ (formerly 2½) mills for general maintenance.

Chap. 308, Apr. 22, 1907.

642. **Mississippi:** Authorizing municipalities constituting separate school districts to issue bonds to build and repair school buildings, to maintain schools, to pay expenses, and to levy taxes.

Maximum levy 3 mills unless more authorized by majority of taxpayers.

Chap. 101, Mar. 11, 1908.

643. **Mississippi:** Authorizing any municipality not composing a separate school district to levy an annual tax to aid in the education of children within such municipality limits.

Maximum tax, 3 mills.

Chap. 127, Mar. 18, 1908.

644. **Montana:** Amending secs. 1940a, 1940b, Political Code, as enacted by S. B. No. 44, p. 129, Laws, 1897, and as amended by H. B. No. 191, p. 12, Laws, 1901, relative to levy of taxes for support of common schools.

Increasing maximum special county tax levy for schools from 2 to 4 mills, and maximum special district tax levy from 5 to 10 mills.

Chap. 51, Feb. 27, 1907.

645. **Nebraska:** Providing for an equitable division of taxation for school purposes in joint school districts.

Chap. 118, Apr. 6, 1907.

646. **New Hampshire:** Relating to taxation and expenditures in village districts, precincts, school districts, highway districts, fire districts, and other like subdivisions of towns.

Requiring vote by ballot for raising and appropriating money at a special meeting; number of votes cast to be at least half those cast at the next preceding regular meeting; check list to be used if same was used at preceding regular meeting.

Chap. 121, Apr. 4, 1907.

647. **New Hampshire:** Relieving the town of Roxbury relative to taxation for school purposes.

Exempting selectmen, during 1907 and 1908, from requirements relative to assessment of taxes for school purposes.

Authorizing board to contract with other districts for proper schooling of children and to pay for the same out of school money.

Chap. 185, Feb. 20, 1907.

648. **New Jersey:** Supplementing chap. 116, Laws, 1906, reducing and limiting rate of taxation into several taxing districts.

Providing for a maximum increase for county, school, district, and local taxes of 30 cents per hundred dollars of valuation.

Chap. 182, Apr. 11, 1908.

649. **North Carolina:** Amending secs. 4109 and 4110, chap. 85, Revisal, 1905, relative to form of tax lists.

Secs. 1d and 1e, chap. 835, Mar. 9, 1907.

650. **North Carolina:** Amending sec. 4115, chap. 85, Revisal, 1905, relative to elections for special school tax.

Providing for enlargement of special tax districts and elections therefor.

Sec. 1f, chap. 835, Mar. 9, 1907.

D 651. **North Carolina** (1906): The legislature can create a specific school district within the precincts of a county, incorporate its controlling authorities, and confer upon them certain governmental powers, and when accepted and sanctioned by a vote of the qualified electors within the prescribed territory, as required by constitution, art. 7, sec. 7, may delegate to such authorities power to levy a tax in furtherance of the corporate purpose.—Smith *v.* Board of Trustees of Robersonville Graded School, 53 S. E., 524.

D 652. **North Carolina** (1907): Constitution, art. 9, sec. 1, declares that schools and the means of education shall be forever encouraged, and commands in sec. 3 that one or more public schools shall be maintained for four months in every year in each school district in each county of the State, and that the school commissioners shall be liable to indictment for failure to comply with this requirement. Constitution, art. 5, sec. 1, directs the levying of a capitation tax by the general assembly, which shall be equal on each to the tax on property valued at $300, and the state and county capitation tax combined shall never exceed $2 on the head. Sec. 6 provides that the taxes levied by the commissioners for county purposes shall never exceed the double of the state tax, except for a special purpose and with the special approval of the general assembly. Revisal, 1905, sec. 4112, authorizes the board of county commissioners, if the tax levied by the State for the support of the public schools is insufficient to maintain one school in each school district for four months in each year, to levy a special tax to supply the deficiency. *Held*, that the county commissioners may, where the tax levied by the State for the support of the public schools is insufficient, levy a special tax, observing the equation between property and the poll fixed in the constitution, sufficient to maintain a public school in each school district for four months in each year, though it exceeds the limitations fixed in constitution, art. 5.—Collie *v.* Commissioners of Franklin County, 59 S. E., 44.

653. **Ohio:** Authorizing school boards to levy tax to support universities and colleges located in village school districts.

Maximum annual levy of 2 mills. Free tuition for two years for high-school graduates.

H. B. 1274, p. 519, May 9, 1908.

654. **Oklahoma:** Authorizing school district boards to contract for construction of schoolhouses to be paid for on the rental plan.

Maximum tax, 3 mills. Maximum total tax for all purposes, 31½ mills. (Sec. 9, art. X, Const.)

Chap. 77, S. B. 341, p. 671, May 5, 1908.

655. **Oregon:** Amending sec. 3372, Bellinger and Cotton's Annotated Codes and Statutes, 1901, relative to percentage of school tax to be applied to salaries, and repealing sec. 3377, relative to the unexpended balance of tax.

Chap. 18, Feb. 13, 1907.

656. **Oregon:** Amending sec. 3374, Bellinger and Cotton's Annotated Codes and Statutes, 1901, as amended by H. B. No. 264, p. 214, Laws, 1903, and repealing sec. 3086, relative to county courts levying taxes for school purposes.

Increasing maximum amount of levy from 5 mills on the dollar to $7 per capita of children within the county between the ages of 4 and 20 years. Per capita levy not to be less than levy for 1903.

Chap. 99, Feb. 23, 1907.

657. **Rhode Island**: Exempting from taxation real estate of the Hope Street High School Athletic Association.

Chap. 1605, Apr. 16, 1908.

658. **South Carolina**: Amending sec. 1208, Code, 1902, as amended by act No. 71, acts, 1906, providing for the voting of special taxes for school purposes.

Fixing time for holding elections.

Act No. 292, p. 631, Feb. 20, 1907.

659. **South Carolina**: Providing a special fund for the purchase of property, erection of buildings and their equipment, providing additional school facilities for educational purposes in the city of Charleston, or any one or more of said purposes.

Providing for a special tax levy of one-half of 1 mill for six successive years, commencing with 1907.

Act No. 327, p. 732, Feb. 7, 1907.

660. **South Carolina**: Amending sec. 1246, Civil Code, 1902, relative to the city schools of Charleston.

Increasing annual levy for schools from 1 mill to 2 mills.

Act No. 465, Feb. 25, 1908.

661. **Tennessee**: Amending chap. 8, acts, 1885 (sp. sess.), incorporating the city of Knoxville.

Authorizing special levy of 30 cents on each $100 of valuation for erecting and enlarging certain schools.

(Error in dates in title corrected by chap. 389, Apr. 12, 1907.)

Chap. 91, Feb. 15, 1907.

662. **Texas**: Amending constitution, sec. 3, art. 7, 1876, increasing the amount of tax that may be voted on school districts and providing for a majority vote of the property tax-paying voters of such districts to vote such tax.

Increasing maximum limit of local tax levy in school districts from 20 to 50 cents.

H. J. R. No. 7, p. 413, Mar. 20, 1907.

Adopted, November, 1908.

663. **Texas**: Amending sec. 58, chap. 124, Laws, 1905, relative to special local school tax.

Application for such tax may be made by 20 or a *majority* of qualified property taxpaying voters.

Chap. 83, Apr. 6, 1907.

D 664. **Texas** (1906): Acts, 1900, p. 19, chap. 7, sec. 6, provides that in cities constituting independent school districts, and where a special tax for school purposes has been voted by the people or fixed by special charter not exceeding one-half of 1 per cent, the board of trustees shall determine the amount of such taxes, within the limit voted by the people or fixed by special charter, which shall be necessary for the maintenance of the schools for the current year, and it shall be the duty of the city council, on the requisition of the school board, to actually levy and collect such tax. Such provision was reenacted in express terms in Acts, 1905, p. 308, chap. 124, sec. 168, and other provisions of the act provide for an election by the voters of an incorporated city to determine whether the city public schools shall be under the control of the city council or board of trustees, and in express terms confers on the board of trustees, when that method of administration is adopted, full control of the public schools within the city. *Held*, that where a city's schools were under the control of a board of trustees, and such board determined in its discretion the amount of taxes, within the authorized limit, which should be levied for the ensuing year, the city council had no discretion but to levy that amount certified.—City Council of City of Crockett *v.* Board of Trustees for Independent School District of City of Crockett, 98 S. W., 889.

665. **Utah:** Amending sec. 1936, Revised Statutes, 1898, as amended by chap. 127, Laws, 1901, relative to the estimate, levy, rate, and collections of taxes for city school purposes.

Increasing maximum limit of tax levy for support and maintenance from 5½ mills to 6½ mills, at least 3 mills of which shall be for the payment of teachers.

Chap. 89, Mar. 14, 1907.

666. **Virginia:** Amending and reenacting sec. 833, Code, 1904, adding new sec. 833a, prescribing powers and duties of boards of supervisors in relation to county and school levies.

Chap. 177, Mar. 11, 1908.

667. **Virginia:** Amending and reenacting sec. 1506, Code, 1904, as amended relative to school funds.

Increasing minimum limit of levy for public school purposes by county board of supervisors from 7½ cents to 10 cents; maximum limit from 20 to 40 cents. Exceptions. Minor amendments.

Chap. 210, Mar. 12, 1908.

668. **Virginia:** Amending and reenacting sec. 1514, Code, 1904, relative to assessment of school taxes.

Adding minor provision concerning form of record book.

Chap. 309 (in part), Mar. 14, 1908.

669. **Washington:** Authorizing and empowering cities of the first class to include within local improvement districts tide lands and land in school sections the title to which remains in the State, and to assess such land for the cost of local improvements and authorizing the sale of such lands.

Chap. 73, Mar. 5, 1907.

670*. **Washington:** Amending sec. 112, chap. 118, Laws, 1897 (Code of Public Instruction), relative to special local tax levies for school purposes.

Removing limitations of tax to be imposed (5 mills) without vote of electors. Providing for special levies in union school districts.

Sec. 5, chap. 163, Mar. 13, 1907.

671. **West Virginia:** Amending and reenacting sec. 38, chap. 45, Code, 1906, as amended and reenacted by chap. 67, acts, 1905, relative to tax levies for school building and supply fund.

Fixing maximum annual local tax levy for such purpose at 15 cents, and at 25 cents in case of construction of new buildings. Conditions of levy and payment of indebtedness.

Chap. 70, Feb. 27, 1907.

672. **West Virginia:** Amending and reenacting sec. 40, chap. 45, Code, 1906, as amended and reenacted by chap. 67, acts, 1905, relative to tax levy for support of primary free schools.

Tax levy to be sufficient to support schools for six (formerly five) months each year. Maximum levy 25 cents, except in cases where such is insufficient to provide six months term. Authorizing special high school tax of 10 cents.

Chap. 70, Feb. 27, 1907.

673. **Wisconsin:** Amending sec. 926, subdiv. 145, Statutes, 1898, as amended by chap. 81, Laws, 1899, as amended by chap. 387, Laws, 1901, relative to taxation for school purposes in cities of the third and fourth class.

Extending provisions of act to school districts including within their limits all or any part of such cities. Tax to be levied and collected as other school taxes.

Chap. 67, Apr. 30, 1907.

674. **Wisconsin**: Amending subsec. 7, sec. 430, Statutes, 1898, relative to the powers of school district meeting.

Authorizing levy of a tax to pay fee for surety bond of district treasurer.

Chap. 81, May 4, 1907.

675. **Wisconsin**: Amending sec. 471, Statutes, 1898, as amended by chap. 307, Laws, 1905, relative to equalization of taxes in joint school districts.

Relative valuation of taxable property in several parts of joint district to be equalized only upon petition of three freeholders, prior to July 10 of any year (formerly annually). Other minor amendments.

Chap. 90, May 10, 1907.

D. BUILDINGS AND SITES.

(a) General.

A very large proportion of the general legislation having to do with school buildings and sites has already been included under the heading of Local Bonds and Indebtedness. The special enactments in Massachusetts (685), Minnesota (688), and New York (581) are here again referred to as evidences of the pressure felt by the public schools of our larger American cities to supply proper school accommodations. The amendment in Wisconsin (506) relative to the equipment of free high schools as a condition for state aid, the Indiana decision (D 681), and the Wisconsin measure (705) as to the use of school buildings for other than strictly school purposes, are not without significance and interest.

676. **Arizona**: Amending sundry secs. of tit. 21, Revised Statutes, 1901, relative to eminent domain.

Extending right of eminent domain to "any educational, reformatory, or penal institution." Provisions concerning costs.

Chap. 91, Mar. 21, 1907.

677. **Colorado**: Amending sec. 1, Acts, 1883, p. 263, providing for condemning sites for public-school buildings.

Adding special provision; permitting districts of the first class to take three acres (others, one acre) of land if unplatted, and not exceeding one block if platted.

Chap. 217, Apr. 9, 1907.

678. **Illinois**: Enabling trustees, boards of education, and other corporate authorities of universities, colleges, township high schools, and all other educational institutions established and supported by the State, or by a township, to exercise the right of eminent domain.

S. B. 550, p. 522, May 24, 1907.

679. **Indiana**: Repealing, and reenacting with sundry amendments, chap. 87, Laws, 1881 (secs. 6006–6008, Burns' Annotated Statutes, 1901), providing for the appropriation of real estate for school purposes.

Chap. 87, Mar. 1, 1907.

680. **Indiana:** Providing for the sale of school property.

Authorizing the school trustee upon petition of two-thirds of the qualified voters of school district to sell unused school property. Minimum price, two-thirds of appraised value.

Requiring appraisement by three disinterested householders and publication of notice of sale.

Chap. 267, Mar. 12, 1907.

D 681. **Indiana** (1905): Burns' Ann. St. 1901, secs. 5920a–5981, relative to the duration of school terms in school townships; and sec. 5999 grants the right to use a public school building for other than school purposes when "unoccupied for common school purposes." *Held*, that the term "unoccupied for common school purposes" had reference only to the time intervening between terms of school, and did not authorize a religious organization to use a schoolhouse on Sundays and evenings during a school term, when the school was not actually in session.—Baggerly *v.* Lee, 73 N. E., 921.

682. **Iowa:** Repealing sec. 2814, Code, 1897, concerning the acquisition of school sites and enacting a substitute.

Making special provision concerning size of site in the case of consolidated districts.

Chap. 153, Apr. 5, 1907.

D 683. **Iowa** (1908): Code, sec. 2814, as amended by Laws, 1907, p. 152, chap. 153, authorizes school corporations to hold, within certain limitations, land for schoolhouse sites, which must be upon public roads, and, except in cities, etc., at least 30 rods from the residence of any owner who objects to a site being placed nearer. Sec. 2815 provides for condemnation of a site if the owner refuses or neglects to convey, etc. Sec. 2773 authorizes boards of directors to fix schoolhouse sites. *Held*, that the term "owner," used in sec. 2814, refers to the owner of a residence within 30 rods of a schoolhouse site, and not to the owner of the site, and that the prohibition against locating a site within 30 rods of a residence applies to schoolhouse sites whether acquired by purchase, devise, gift, or condemnation.—Mendenhall *v.* Board of Directors of Independent School Dist. of Leighton, 115 N. W., 11.

D 684. **Kentucky** (1906): Ky. Stat. 1903, secs. 3588–3606, authorize cities of the fourth class to create boards of education, provide that the title to the school property shall vest in the board, etc. A city of the sixth class, constituting a part of a graded school district, was made a city of the fourth class, and the city council created a board of education. *Held*, that the board of education was entitled, as against the trustees of the graded school district, to possession of the property of the school district within the city.—Trustees of Latonia Graded School Dist. No. 12 *v.* Board of Education of Latonia, 93 S. W., 590; 29 Ky. Law Rep., 391.

685. **Massachusetts:** *See enactment No. 568.*

686. **Massachusetts:** Authorizing the city of Springfield to acquire Long Hill Cemetery for school purposes.

Authorizing the city council, upon the removal of the bodies interred to other suitable places and the replacement of tombstones upon the new graves, to take Long Hill Cemetery for school purposes.

City to pay all damages to property.

Chap. 342, Apr. 29, 1907.

D 687. **Michigan** (1907): Comp. Laws, sec. 4665, subdiv. 4, gives the qualified voters of a school district authority to designate a school site as thereafter provided; subdiv. 5 gives such voters authority to direct the purchase of sites lawfully determined on; and subdiv. 6 confers authority to vote a tax therefor. *Held*, that since secs. 4728 and 4729, prescribing the method referred to in sec. 4665, subdiv. 4, for designating school sites, contain no authority for purchase or condemnation by a board of education of a city without prior action by the voters of the district, proceedings by such officers to condemn a school site without such vote were unsustainable.—Board of Education of City of Detroit *v.* Moross, 114 N. W., 75; 14 Detroit Leg. N., 683.

688. **Minnesota:** *See enactment No. 570.*

689. **Minnesota:** Authorizing cities having a population of over 50,000 to condemn lands under the right of eminent domain for sites and grounds for public school buildings, and for all other municipal or public buildings for such cities, or for any of the departments of its government.

Power and authority to be exercised under the authority of chap. 41, Revised Laws, 1905.

Chap. 291, Apr. 22, 1907.

690. **Nebraska:** Amending, and reenacting with amendments, secs. 1, 2, 3, and 4, subdiv. 12, chap. 79, Compiled Statutes, 1905 (secs. 11166 to 11169, Cobbey's Annotated Statutes, 1903), relative to appraisement of property for school sites.

Adding provisions relative to procedure for the exercise of eminent domain by school districts in cities.

Chap. 126, Apr. 3, 1907.

691. **New Jersey:** Authorizing the board of education of any township, upon two-thirds vote of its members, to transfer any unused school building to the township in which said board of education is located and to empower the township committee to use said building for municipal purposes.

Chap. 49, Apr. 12, 1907.

D 692. **New Jersey** (1908): A resolution of the board of school estimate, fixing and determining the amount of money necessary for the erection of a schoolhouse at the sum of $175,000, on condition that a school building containing 20 units shall be erected, is not such a determination of the amount necessary for the purpose of building as is required by School Law, 1903, sec. 76 (P. L., 1903, 2d sp. sess., p. 28).—Board of Education of Montclair *v.* Town Council of Montclair, 68 A., 795.

693. **New York:** *See enactment No. 581.*

694. **New York:** Authorizing the city of New York to acquire certain lands as sites for public buildings and to provide for the establishment and maintenance of public educational institutions.

Chap. 515, June 17, 1907.

695. **New York:** Authorizing the city of Utica to issue bonds in the amount of $20,000 to enable the commissioners of common schools of such city to equip, remodel, and repair school buildings so as to safeguard the pupils in case of fire.

Chap. 244, May 11, 1908.

696. **North Dakota:** Providing for a site for the statue of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Statue erected by women, students, and school children of the State upon the initiative of the Federation of Women's Clubs. Appropriating $1,000.

Chap. 12, Mar. 2, 1907.

697. **North Dakota:** Amending sec. 831, Revised Codes, 1905, relative to the organization of schools on petition.

Increasing maximum expenditure for schoolhouse and furniture from $700 to $1,200.

Sec. 5, chap. 95, Mar. 19, 1907.

698. **Rhode Island:** Authorizing the city of Providence to build and maintain conduits and carry steam pipes therein in, under, and across Pond and Summer streets, and providing for installing a central heating plant on the technical high school premises in said city.

Chap. 1476, Apr. 5, 1907.

699. **Rhode Island**: Amending, by adding to, act of May, 1827, confirming an act of the town of Newport for establishing a public-school fund.

Public-school fund may be used for the erection of a new schoolhouse.

Chap. 1618, May 13, 1908.

700. **South Dakota**: Providing for the protection of State, county, and municipal corporations and school districts and of persons furnishing material and labor for the construction or repair of public or school buildings.

Providing that surety bonds for the performance of contracts shall contain obligation of contractor to make payments promptly to all persons supplying labor and materials. Authorizing suit for recovery.

Chap. 138, Mar. 4, 1907.

701. **Washington**: *See enactment No. 535.*

702. **Wisconsin**: *See enactment No. 506.*

703. **Wisconsin**: *See enactment No. 1202.*

704. **Wisconsin**: Creating sec. 926—17, Statutes, 1898 (sec. 926—104m), relative to the powers of boards of education in cities of the third class.

Relieving boards, authorized to purchase sites and erect high-school buildings, from restrictions as to territorial limitations imposed by city charter.

Chap. 69, May 1, 1907.

705. **Wisconsin**: Creating subsec. 70, sec. 925—52, Statutes, 1898, relating to the powers of cities.

Schoolhouses may be used for public meetings for social and educational purposes.

Chap. 244, June 19, 1907.

(b) Buildings and sites: State aid; approval of plans.

The legislation of each biennium clearly demonstrates that the State is concerning itself more and more in the matter of properly erected and planned school buildings. As the extent of this state supervision increases there is certain to be a decrease in the present waste of funds through the erection of ill-adapted buildings, and an increase in the number of those buildings in which have been incorporated the features demanded by a proper regard for the health of children and the requirements for efficient teaching. The tendency to require that the plans of school buildings be approved by some competent authority, and the tendency to place in the hands of local school authorities plans of properly constructed and hygienically arranged schoolhouses, are illustrated in the principal enactments brought together under this head: North Dakota (707), Tennessee (708), Virginia (709), Washington (711), and Wisconsin (712). The presence of these measures in the legislation of the period is decidedly encouraging.

706. **Alabama**: Making annual appropriation to aid rural school districts to erect and to repair public schoolhouses.

Annual appropriation of $67,000, and prescribing conditions and methods of payment of state aid;

"Provided further that no appropriation shall be made for the building of a schoolhouse unless said schoolhouse is built in accordance with

the plans and specifications either furnished by or endorsed by the superintendent of education of the state."

Maximum aid for any schoolhouse, $200; maximum aid in any one county, $1,000.

Act No. 163, p. 238, Mar. 2, 1907. (Secs. 1975–1993, Code, 1907.)

707*. **North Dakota**: Amending sec. 829, Revised Codes, 1905, relative to schoolhouses and sites.

Providing that county superintendent of schools and county superintendent of health shall be consulted by district school boards purchasing, erecting, or constructing schoolhouses, with reference to proper construction, lighting, heating, and ventilation. State superintendent to furnish plans for one and two room schoolhouses. Constituting county superintendent of schools, county superintendent of health, and chairman of board of county commissioners as board of inspection for schoolhouses.

Chap. 96, Mar. 14, 1907.

708. **Tennessee**: Providing for the preparation and distribution to local school authorities of plans of school buildings costing from $300 to $5,000.

Chap. 234, Apr. 1, 1907.

709. **Virginia**: Amending and reenacting chap. 255, Acts, 1906, relative to the issuance of bonds by school districts for the purpose of erecting and furnishing schoolhouses.

Removing three-year limitation as to the sufficiency of school funds. Plans of schoolhouse to be approved by superintendent of public instruction, in addition to division superintendent. Bonds as lien on property of district or a part thereof.

Chap. 82, Feb. 25, 1908.

710. **Virginia**: Amending and reenacting chap. 252, Acts, 1906, relative to the borrowing of money belonging to the literary fund by district school boards for the purpose of erecting schoolhouses.

Extending provisions of act to cities. Increasing maximum loan limit for any one building from $3,000 to $10,000. Special provisions regarding loans in excess of $3,000. Authorizing the state board of education to convert securities of literary fund into cash, not to exceed $100,000 per annum.

Chap. 83, Feb. 25, 1908.

711*. **Washington**: Supplementing the Code of Public Instruction (chap. 118, Laws, 1897), by adding sec. 47½, relative to approval of plans of schoolhouses by county superintendent.

Excepting districts having a population of 10,000 or more.

Sec. 2, chap. 163, Mar. 13, 1907.

712*. **Wisconsin**: Creating sec. 524L, Statutes, 1898, relative to plans and specifications for school buildings.

Authorizing state superintendent of public instruction to procure plans and specifications for buildings not exceeding four rooms; to loan same to school districts. Appropriating $500.

Providing for the approval of plans and specifications of buildings by county superintendent when plans of state superintendent are not used.

Chap. 425, June 26, 1907.

(c) Buildings and sites: Decoration, care, sanitation, inspection.

The following enactments are in their evident purpose supplementary to those noted in the previous section. Each of them bears characteristic evidence of progress in a needed direction. That of Indiana (713) relative to the employment and payment of janitors will undoubtedly result in an improvement in the schools of rural

districts. The decision in Indiana (D 714) as to the authority of the state board of health over public-school buildings is noted in connection with the present-day movement to place the sanitary supervision of school buildings in the hands of competent persons. The enactment of Massachusetts (719) relative to the inspection of school buildings is of particular interest in this connection.

The three most important items of this group are that of Ohio (721), providing for the inspection of school buildings; that of Virginia (727), regulating the construction of school buildings, and those of Wisconsin (729), (730), (731), relative to the conditions for state aid to rural schools.

713*. **Indiana:** Amending sec. 3, chap. 192, Laws, 1899, relative to duties of school trustees.

Adding provision that "said trustees shall provide such janitor help as may be deemed necessary to properly care for the schools and premises under their control, and such janitors shall be paid from the special school funds of the township."

Chap. 218, Mar. 9, 1907.

D 714. **Indiana** (1908): The state board of health may only require that the public school buildings be made sanitary, the means of securing proper sanitation being left to the local authorities.—Advisory Board of Coal Creek Tp., Montgomery County, *v.* Levandowski, 84 N. E., 346.

D 715. **Kentucky** (1905): Under Ky. Stat. 1903, sec. 2954, providing that the school board of a city shall apply the funds annually coming into its hands for educational purposes to certain objects, including salaries, and sec. 2956, providing that it shall elect teachers and regulate and fix their salaries, and the term of office of teachers and employees of the board, it may employ a janitor; and, having done so, it is its duty to pay his salary from the fund for educational purposes.—Oberdorfer *v.* Louisville School Board, 85 S. W., 696; 27 Ky. Law Rep., 508.

D 716. **Kentucky** (1905): A city is not liable for injury to a pupil from a defect in a building furnished by it for a public school, it being owned by it not for private or municipal purposes, but for a public purpose.—Clark *v.* City of Nicholasville, 87 S. W., 300; 27 Ky. Law Rep., 974.

717. **Louisiana:** Prescribing the way in which doors to public buildings and factories shall be hung; determining to what buildings act shall apply; and fixing a penalty for the violation thereof, or failure to comply with the provisions thereof.

Act No. 73, June 30, 1908. (Dec. 30, 1908.)

718. **Maine:** Requiring steam plants in school buildings, churches, and other public buildings to be in charge of competent persons.

Requiring persons in charge of steam-heating plants to hold a certificate of competency to be issued by municipal authorities. Providing for the form, content, and revocation of certificate.

Chap. 82, Public Acts, Mar. 20, 1907. (Sept. 1, 1907.)

719*. **Massachusetts:** Providing for the establishment of health districts and the appointment of inspectors of health.

Transfers inspection of factories and public buildings from inspection department of the district police to state inspectors of health.

Enforcement of secs. 54–55, chap. 106, Revised Laws, 1902, relating to the inspection of school buildings by state inspectors of health.

Chap. 537, June 19, 1907.

719a. **Massachusetts**: Relative to janitors of public schoolhouses in the city of Worcester.

Janitors to be under the control of the school committee.

Chap. 258, Mar. 23, 1908.

720. **North Carolina**: Providing for pure and adequate water supplies for the public and private schools of the State.

Granting to constituted school authorities power to condemn land for water supply and prescribing procedure for condemnation.

Chap. 671, Mar. 6, 1907.

721*. **Ohio**: Enlarging the powers of the chief inspector of workshops and factories in the matter of public schools and other buildings, and increasing the number of district inspectors.

"SEC. 1. In addition to the powers now vested in the chief inspector of workshops and factories it shall be his further duty to cause his district inspectors to inspect all schoolhouses, colleges, opera houses, halls, theaters, churches, infirmaries, children's homes, hospitals, medical institutes, asylums, and other buildings used for the assemblage or betterment of people in any municipal corporation, township or county in the State of Ohio with special regard to the precautions taken for the prevention of fires, and the provision of fire escapes, exits, emergency exits, hallways, air space, and all other matters which relate to the health and safety of those occupying or assembling in such structures.

"SEC. 2. The district inspectors shall file with the chief inspector of workshops and factories a written report of every inspection made of any of the aforesaid structures, stating the condition in which such building was found, and if it is found that necessary precautions for the prevention of fire or other disaster have not been taken, nor means provided for the safe and speedy egress of the persons who might be assembled therein, said report shall specify such appliances, additions or alterations as are necessary to provide such precautions and protection, and it shall then be the duty of the chief inspector of workshops and factories to notify in writing the owner or person having control of such structure of the appliances, additions or alterations necessary to be added to or made in such structure.

"SEC. 3. A copy of said notice shall be mailed to the mayor of the municipality, if such structure is located therein, and if not, then to the prosecuting attorney of the county wherein it is located, and it shall be the duty of the mayor of the municipality, with the aid of the police, or the prosecuting attorney, with the aid of the sheriff, upon receiving such notification, to prohibit the use of said structure for the assemblage of people until the appliances, additions or alterations required by said notice have been added to or made in such structure.

"SEC. 4. Upon receiving said notice it shall be the duty of the owner or person in control of such structure to comply with each and every detail embodied therein, and it shall be his further duty, upon the completion of every such detail, to report the fact in writing to the chief inspector of workshops and factories and the mayor of the municipality or the prosecuting attorney of the county as the case may be.

"SEC. 5. The plans for every such structure aforesaid which may be hereafter erected in the State of Ohio, and the plans for any alterations in or additions to any such structure aforesaid that is now erected shall be approved by the chief inspector of workshops and factories, except that in municipalities having regularly organized building inspection departments the plans shall be approved by said municipal departments.

"SEC. 6. Any architect, builder or other person who shall alter the approved plans, or fail to construct or alter the building in accordance with said approved plans without the consent of the department that approved them shall be deemed guilty of a criminal offense, and, upon conviction, shall be fined in any sum not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or imprisoned in the county jail no less than thirty days nor more than one year, or both such fine and imprisonment at the discretion of the court.

"SEC. 7. For the purpose of carrying out this provision of this act the chief inspector of workshops and factories shall, with the approval of the

governor, appoint one assistant chief inspector who shall be a competent and practical architect, and whose duty it shall be to examine carefully the plans and specifications of such buildings, alterations, and additions, and perform such other duties as the chief inspector may direct. The salary of said assistant chief inspector shall be two thousand five hundred dollars a year, which salary and all necessary traveling expenses incurred by said inspector in the discharge of his official duties shall be paid out of the treasury of the state on the warrant of the auditor from any fund therein not otherwise appropriated.

"SEC. 8. For the purpose of carrying out this act the chief inspector of workshops and factories is authorized to appoint, with the approval of the governor, ten additional district inspectors who shall be competent and practical mechanics, with a knowledge of building construction, and who shall receive the same compensation, be clothed with the same powers, and whose terms of office shall be the same as is now provided by law for the district inspectors of workshops and factories.

"SEC. 9. Any person, firm, board or corporation, being the owner or in control of any building mentioned in this act, who shall use or permit the use of such building, in violation of any order prohibiting its use, issued in accordance with this act or who shall fail to comply with the requirements of any order so issued relating to the change, improvement or repair of such building, shall be fined not less than ten, nor more than one hundred dollars, and each day that such use or failure shall continue shall constitute a separate offense."

H. B. 1225, p. 232, Apr. 28, 1908.

722. **Oklahoma:** Providing certain buildings, public and private institutions, and places of public assemblage, and places of public resort, hotels, lodging, apartment, and other public houses, with fire escapes, and providing penalties for valuation thereof.

Including schoolhouses.

Chap. 38, S. B. 100, p. 427, Apr. 28, 1908.

723. **Pennsylvania:** Providing for better sanitation of school rooms, relative to heating and ventilation.

Act No. 240, May 29, 1907. (Dec. 1, 1907.)

D 724. **Pennsylvania** (1905): The city of Philadelphia, which is coterminous with the first school district of Pennsylvania, and has legal title to the public school buildings therein, is not liable in damages for injuries to a pupil in a public school by a fall of a part of the plastering from the ceiling of a schoolroom, although the board of education and its architect had several weeks' notice of the defect in the ceiling before the accident occurred. The ground for the city's exemption in such a case is that the school buildings are in the actual possession and control of the sectional school board and board of public education, and that the city has no voice in the selection of the officers, agents, or architects of the school district, and no power to remove them.—Rosinblit *v.* City of Philadelphia, 28 Pa. Super. Ct., 587.

725. **Rhode Island:** Authorizing the city of Providence to borrow money to provide sanitary furnishings and equipment for schoolhouses.

Maximum amount, $110,000.

Chap. 1478, Apr. 17, 1907.

726. **Rhode Island:** To diminish danger in case of fire.

Making general provisions for safety in all buildings used for public purposes, including schools. Doors and windows to swing outward; not to be locked during occupancy of building. Inspection. Penalties.

Chap. 1536, Apr. 22, 1908.

727*. **Virginia:** Regulating the construction of public school buildings in order that the health, sight, and comfort of all pupils may be properly protected.

"*Whereas*, it is of great importance to the people of this Commonwealth that public school buildings hereafter erected by any school board shall be properly heated, lighted and ventilated; therefore,

"1. *Be it enacted* by the general assembly of Virginia, That the State board of inspectors for public school buildings shall not approve any plans for the erection of any school building or room in addition thereto unless the same shall provide at least fifteen square feet of floor space and two hundred cubic feet of air space for each pupil to be accommodated in each study or recitation room therein, and no such plans shall be approved by said board unless provision is made therein for assuring at least thirty cubic feet of pure air every minute per pupil, and the facilities for exhausting the foul and vitiated air therein shall be positive and independent of atmospheric changes. All ceilings shall be at least twelve feet in height.

"2. All schoolhouses for which plans and detailed statements shall be filed and approved by said board, as required by law, shall have all halls, doors, stairways, seats, passageways, and aisles, and all lighting and heating appliances and apparatus, arranged to facilitate egress in cases of fire or accidents, and to afford the requisite and proper accommodations for public protection in such cases. All exit doors in any schoolhouse of two or more stories in height shall open outwardly. No staircase shall be constructed except with straight runs, changes in direction being made by platforms. No doors shall open immediately upon a flight of stairs, but a landing at least the width of the doors shall be provided between such stairs and such doorway.

"3. All schoolhouses, as aforesaid, shall provide for the admission of light from the left, or from the left and rear of the pupils, and the total light area must be at least twenty-five per centum of the floor space.

"4. Every school board shall provide at least two suitable and convenient outhouses or water-closets for each of the schoolhouses under its control; unless the said schoolhouses have suitable, convenient and sanitary water-closets erected within same, said outhouses or water-closets shall be entirely separated, each from the other, and shall have separate means of access. School boards shall see that said outhouses or water-closets are kept in a clean and wholesome condition."

Chap. 187, Mar. 11, 1908.

D 728. **Washington** (1907): Under Ballinger's Ann. Codes and Stat., secs. 5673, 5674, providing that an action may be maintained against a school district for an injury to plaintiff's rights, arising from its act or omission, such a district is liable for the scalding of a child rightfully in attendance at school, through the overturning of a large metal bucket of boiling water, which was negligently kept upon a register in the middle of the schoolroom, wholly unguarded and unprotected; and it was error to sustain a demurrer to her complaint showing such negligence and her freedom from contributory negligence.—Redfield *v.* School Dist. No. 3, Kittitas County, 92 P., 770.

729. **Wisconsin:** *See enactment No. 492.*

730. **Wisconsin:** Amending sec. 436, Statutes, 1898, authorizing school boards to provide maps, charts, globes, books, supplementary readers, and other equipment for schools.

Adding supplementary readers, dictionaries, library catalog cards and card cases, heating and ventilating apparatus, to the list of apparatus board has authority to buy. Maximum annual limit of expenditure increased from $75 to $100.

Chap. 39, Apr. 10, 1907.

731. **Wisconsin:** Creating sec. 435a, chap. 27, Statutes, 1898, relative to the duties of school boards in providing and maintaining suitable outbuildings.

Requiring separate outhouses for boys and girls. Making provisions as to sanitation, distance, and screening. Providing for tax levy to carry out provisions.

Chap. 232, June 18, 1907.

(d) Buildings and Sites: Prohibition Districts.

The enactments presented under this heading do not, strictly speaking, belong to the special class of educational legislation. They do, however, present some conclusive evidence of a movement, already a part of the established policy of many States, for the protection of the educational as well as the broader social interests.

732. **Arizona**: Providing for the refusal and revocation of any license for the sale of intoxicating liquors.

Proof that holder of license has sold, bartered, furnished, or given away intoxicating liquors to any minor person, pupil, or student in any public school, academy, seminary, normal school, university, or other institution of learning among the several causes enumerated for the revocation or refusal of license.

Chap. 25, Mar. 12, 1907.

733. **Arkansas**: *See enactment No. 1363.*

734. **Connecticut**: Amending sec. 2647, General Statutes, 1902, concerning the granting of licenses in certain places.

Adding clause prohibiting in cities the granting of a license for the sale of spirituous and intoxicating liquors "within two hundred feet in a direct line from any church edifice or public or parochial schoolhouse or the premises pertaining thereto."

Chap. 200, July 11, 1907.

D 735. **Georgia** (1907): The fact that a school formerly taught in a building designated as the center of a 3-mile area in which a local prohibition act became effective is no longer taught in the original building, but in a new building, a short distance away, does not invalidate a conviction under that act of one guilty of selling intoxicating liquor within 3 miles of both the original and the subsequent location of the school.—Mason *v.* State, 58 S. E., 139; 1 Ga. App., 534.

736. **Illinois**: Prohibiting the sale, distribution, or gift of malt, spirituous, vinous, or intoxicating liquors near the United States naval training schools or military posts, and providing a penalty for the violation thereof.

H. B. 410, p. 306, May 17, 1907.

737. **Louisiana**: Prohibiting gambling with cards, dice, and all manner of banking games, or gambling in any form whatsoever for money or any representative of money within 5 miles of the Haynesville High School located at Haynesville, Claiborne Parish, and fixing penalties for violation.

Act No. 33, June 20, 1908.

See also the following additional special acts of similar nature:

Act No. 34, June 20, 1908.
Act No. 36, June 20, 1908.
Act No. 58, June 24, 1908.
Act No. 123, July 2, 1908.
Act No. 218, July 8, 1908.
Act No. 257, July 8, 1908.
Act No. 273, July 9, 1908.

738. **Louisiana**: Prohibiting the sale of any spirituous, vinous, malt, or intoxicating liquors, or substitutes therefor within 5 miles of Benton High School, located at Benton, in the Parish of Bossier, and providing a penalty therefor.

Act No. 46, June 20, 1908.

See also the following additional special acts of similar nature:

Act No. 47, June 20, 1908.
Act No. 121, July 1, 1908.
Act No. 259, July 8, 1908.
Act No. 290, July 9, 1908.
Act No. 302, July 9, 1908.

739. **Louisiana**: Prohibiting the sale or offering for sale of vinous, malt, or spirituous liquors within a radius of 6 miles of the State Normal School at Natchitoches, and prescribing penalties for the violations.

Act No. 193, July 8, 1908.

740. **Minnesota**: *See enactment No. 1420.*

740a. **Missouri**: Prohibiting the granting of a license to keep a dramshop within five miles of any state educational institution which now has enrolled fifteen hundred or more students.

H. B. 53, p. 257, May 10, 1907.

D 740b. **Missouri** (1908): Act May 10, 1907 (Laws, 1907, p. 257), providing that "no dramshop license shall hereafter be granted to any person to keep a dramshop within five miles of any state educational institution which now has enrolled fifteen hundred or more students," was violative of Const. 1875, art. 4, sec. 53 [Ann. St. 1906, p. 197], prohibiting special or local legislation; it appearing that the State University at Columbia was the only state educational institution which had the designated number of students at the time the act went into effect.—State *v.* Turner, 107 S. W., 1064.

741. **Nevada**: Regulating the location, equipment, and maintenance of hospitals. Prohibiting hospitals within 300 feet of public school buildings.

Chap. 206, Mar. 29, 1907.

742. **Oregon**: Prohibiting the locating of any saloon or place where liquor is sold at retail within 2 miles of any school where tuition, lodging, food, and clothing are furnished at the expense of the United States.

Chap. 107, Feb. 23, 1907.

743. **Rhode Island**: Amending sec. 2, chap. 102, General Laws, 1896, as amended by sec. 1, chap. 543, Public Laws, 1898, and as amended by chap. 1355, Public Laws, 1906, relative to the granting of liquor licenses.

Containing provision (p. 208) that no license shall be granted for a place of sale within 200 feet of any public or parochial school.

Chap. 1583, May 22, 1908.

744. **South Dakota**: Amending sec. 2859, Revised Political Code, 1903, relative to the sale of intoxicating liquors in the proximity of public or private schools.

Changing limits of prohibited districts from "in the same block with, or in any block adjacent to, any public or private school," to "within three hundred (300) feet of the grounds of any public or private school."

Chap. 175, Feb. 25, 1907.

745. **South Dakota**: Forbidding the sale of intoxicating liquors within one-third of a mile of any college or academy providing regular classical and scientific courses.

Excepting schools and colleges "devoted simply to instruction in business methods."

Chap. 177, Mar. 7, 1907.

746. **Tennessee**: Amending chap. 114, acts, 1883, relative to the creation, organization, and powers of municipal corporations embracing territories of cities having a population of 36,000 and upward according to the federal census of 1880, whose charters have been abolished (charter of the city of Nashville).

Prohibiting sale of intoxicating liquors within 4 miles of any public or private schoolhouse. Excepting certain described territory, and sales of liquors in wholesale package or quantities.

Chap. 34, Feb. 6, 1907. (July 1, 1907.)

D 747. **Tennessee** (1907): Under Shannon's Code, sec. 991, declaring the right to sell liquors is a taxable privilege within the constitution, and sec.

6795, prohibiting the sale of intoxicating liquors within 4 miles of a schoolhouse, and Acts, 1899, p. 309, chap. 161, sec. 1, prohibiting the sale of intoxicating liquors without a license, the ignorance of accused of the intoxicating properties of liquors sold is no defense, and if he sells he must know at his peril whether it is intoxicating or not, and his belief that it was not resulting from a guaranty under which he bought the liquor is no excuse.—Haynes *v.* State, 105 S. W., 251.

748. **Wisconsin:** Creating sec. 566m, prohibiting the building of a lock-up or temporary place of confinement in villages or cities of the third or fourth class within 300 feet of a public, private, or parochial school.

Chap. 339, June 22, 1907.

(e) United States Flag in Schools.

The seven enactments in this group are indicative of the spirit of patriotism and Americanism with which it is sought to surround the public school. Even a casual observer of the legislative activity with reference to schools can not fail to detect this as a species of the general variety of efforts to give to the public school as an institution a character of abiding loyalty.

749. **California:** Adding sec. 1617a to Political Code, 1906, requiring that the United States flag shall be hoisted on all public schoolhouses and displayed in each schoolroom.

Chap. 225, Mar. 15, 1907.

750. **Indiana:** Providing under certain circumstances for the purchase of United States flags by school corporations, and fixing times for the displayal thereof on school buildings; providing a penalty for mutilation of flag or appliances.

Flags to be purchased from funds privately donated.

Chap. 253, Mar. 12, 1907.

751. **Kansas:** Providing for the display of United States flag on public schools, and for flag exercises and observance of holidays.

Chap. 329, Mar. 6, 1907.

752. **Maine:** Providing schools with flags.

Requiring municipal officers, upon report of the superintendents of schools, to furnish flags to schools not already provided.

Chap. 182, Public Laws, Mar. 28, 1907.

753. **Oregon:** Providing for the public display of the United States flag upon or near each public school building and authorizing the payment of expenses in connection therewith.

Chap. 37, Feb. 16, 1907.

754. **Tennessee:** Requiring that the flag of the United States of America be displayed from all county and municipal public schoolhouses in counties having a population of 70,000 and less than 90,000 by the federal census of 1900, or that may have that number of inhabitants by any subsequent federal census, and providing penalties for failure to comply with the provisions of the act.

Chap. 480, Apr. 15, 1907.

755. **Utah:** Requiring every board of education or school trustees to provide each schoolhouse or the grounds thereof with an American flag, and to cause the said flag to be displayed thereon during daylight on legal holidays, Feb. 12, and "Flag Day" of each year.

Chap. 32, Mar. 11, 1907.

E. TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS.

(a) Qualifications: General.

756. **Kansas:** *See enactment No. 1103.*

757. **Washington:** Amending sec. 141 (Code of Public Instruction), relative to requirements for teachers' certificates.

Raising lower age limit from 17 years to 18 years. Providing for first grade primary certificates.

Sec. 13, chap. 240, Mar. 18, 1907.

758. **Wisconsin:** Amending sec. 9, chap. 439, Laws, 1901, as amended by chap. 285, Laws, 1903, and chap. 289, Laws, 1905, and making said section sec. 496d, Statutes, 1898, relative to state aid for graded schools.

Requiring principals of state graded schools of second class, holding first grade county certificates or state certificates, to have not less than one year's successful experience; or such principal may hold a second grade county certificate, in which case he must have had not less than two years' successful experience.

Chap. 374, June 24, 1907.

(b) Teachers' examinations and certificates: General.

By reason of their volume, and of their many evidences of educational progress, the enactments concerning the standards of qualification for teachers in the public schools represent one of the most interesting phases of the legislative activity of the biennium, especially when considered together with those dealing with normal schools and other institutions set up for the purpose of the professional education and training of teachers. (See Section G, enactments 898–946.)

In general it may be said that the legislation of the current biennium does not present such notable illustrations of progress as did that of the biennium 1904–1906. The tendency to continue the process of centralizing the right of examination and the powers of certification of teachers in state boards and officers is continued, although not in such a marked manner as in the previous biennium. The revised school codes of Nevada (774) and South Dakota (780) contain evidences of the tendencies of the present day progress. The establishment of the state board of examiners in North Carolina (777), the amended act in Ohio (779) relative to the granting and revocation of teachers' certificates, the Washington act (786) creating city boards of examiners, and the amended Wyoming act (788), relative to the state board of examiners, may be regarded as the more important enactments of this group.

759. **Alabama:** Repealing sec. 16, act No. 395, p. 217, Laws, 1899, as amended by act No. 316, p. 114, Laws, 1901 (act No. 393, p. 309, Laws, 1903), relative to a uniform system for examination and licensing of teachers of the public schools.

Removing prohibition that teachers shall not be granted second-grade certificates more than twice.

Act No. 343, p. 452, Mar. 13, 1907.

760. **Alabama**: Amending sec. 17, act No. 395, p. 217, Laws, 1899, as amended by act No. 316, p. 114, Laws, 1901, relative to a uniform system for examination and licensing of teachers of public schools.

After six years (formerly ten) in teaching under first-grade certificates, teachers may be granted life certificates.

Act No. 361, p. 483, July 17, 1907. (Sec. 1741, Code, 1907.)

761. **Arizona**: Amending par. 2238 (sec. 108, chap. 12, tit. 19), Revised Statutes, 1901, relative to teachers' certificates.

Providing that holders of Arizona Normal School or life diplomas, upon the presentation thereof, may be absolved from the requirement of filing certificate with county superintendent.

Sec. 3, chap. 67, Mar. 21, 1907. (July 1, 1907.)

762. **Arizona**: Amending par. 2144 (sec. 15, chap. 2, tit. 19), Revised Statutes, 1901, relative to territorial board of examiners.

Providing for the payment of a fee of $2 for the issuance of certificates to holders of state normal school and life diplomas of other States.

Sec. 12, chap. 67, Mar. 21, 1907. (July 1, 1907.)

763. **Arizona**: Repealing subdiv. 4, par. 2149 (sec. 20, chap. 4, tit. 19), Revised Statutes, 1901, relative to duties of county superintendents with respect to teachers' examinations.

Providing for the collection of an examination fee of $2 from applicants. Superintendents violating rules established for conducting examinations of teachers, guilty of misdemeanor.

Sec. 15, chap. 67, Mar. 21, 1907. (July 1, 1907.)

764. **Idaho**: Amending sec. 4, p. 86, Laws, 1899 (sec. 1009, Political Code, 1901), as amended by p. 83, Laws, 1905, relative to state certificates and diplomas.

Increasing term of validity of state certificates from five to eight years.

H. B. No. 111, p. 56, Feb. 22, 1907.

765. **Indiana**: *See enactment No. 922.*

766. **Iowa**: Amending sec. 2629, Code Supplement, 1902, relative to the board of educational examiners.

Minor amendment regarding the persons to conduct examinations.

Sec. 2, chap. 6, Apr. 4, 1907.

767. **Iowa**: Amending sec. 2631, Code, 1897, relative to state certificates and diplomas.

Reducing fee for state certificates from $3 to $2. Striking out clause concerning return of fees to applicants failing in examination.

Sec. 3, chap. 6, Apr. 4, 1907.

768. **Kansas**: Repealing, and reenacting with amendments, secs. 3 and 4, chap. 424, Laws, 1903, relating to county boards of examiners and providing for professional certificates to be issued by county boards of examiners.

Modifying period of validity of different grades of certificates. Minor changes concerning the granting of professional certificates.

Chap. 341, Mar. 9, 1907.

769. **Kentucky**: *See enactment No. 909.*

770. **Mississippi**: Authorizing the state board of examiners in cases where examination papers of teachers have been destroyed by the burning of the court-house to transfer their licenses to other counties; and authorizing the granting of a state license to teachers of such counties, exempt from examination, where their examination papers have been burned.

Chap. 133, Mar. 21, 1908.

771. **Mississippi**: Amending sec. 4555, Code, 1906, relative to the issuance of professional teachers' licenses.

Adding physics to the list of examination subjects.

Chap. 201, Feb. 14, 1908.

D 772. **Mississippi** (1908): Code, 1906, sec. 4539, provides that school examinations shall be held on questions prepared by the state superintendent of education and sent sealed to the county superintendent, to be opened by him in the presence of the teachers, after they have assembled, and after the seals have been inspected by the examiners; and sec. 4546 provides that any person who sells or offers to sell or give away the examination questions or answers to the same prepared by the proper authorities for the examination of teachers of public schools, before the date of the examination, shall be guilty of a misdemeanor. *Held*, that a conviction for offering to sell examination questions under such sections could not be sustained where the proof did not show that the questions offered for sale were prepared by the state superintendent of education and sealed and sent to the county superintendent of education, as provided.—Bryant *v.* State, 46 So., 247.

773. **Nebraska**: *See enactment No. 922b.*

774. **Nevada**: *See enactment No. 29.*

D 775. **New York** (1905): Laws, 1901, p. 1774, chap. 718 (revised amended Greater New York charter, sec. 1089), declaring that at the close of the third year of continuous successful service of a teacher the city superintendent may make a temporary license permanent, does not require the superintendent to make a license permanent under such circumstances.—People *v.* Board of Education of City of New York, 94 N. Y. S., 61; 106 App. Div., 101.

Under Laws, 1901, p. 1774, chap. 718 (revised amended Greater New York charter, sec. 1089), providing that at the close of the third year of continuous successful service of a teacher the city superintendent may make a temporary license permanent, the issuance of a special license to a teacher who has served three years under a temporary license is not a determination by the superintendent that the teacher is entitled to a permanent license.—*Ibid.*

D 776. **New York** (1905): Laws, 1892, p. 1485, chap. 677, sec. 24 (statutory construction law), as amended by Laws, 1897, p. 759, chap. 614, sec. 1, declaring that Saturday afternoon shall be deemed a public half holiday "for all purposes whatsoever as regards the transaction of business in the public offices of this State or counties of this State," does not, as construed by the court of appeals, prohibit an officer from voluntarily performing an official act on public holidays, or render such act void or voidable, unless it is such as to create an unlawful preference under the recording act, or is prohibited by some other statute. Ordinances City of Buffalo, chap. 3, sec. 20, provides that all offices in all departments and bureaus of the city government shall be open for the transaction of business on every day, excepting Sundays and holidays, from 8.30 o'clock a. m. until 4.30 o'clock p. m., and excepting on Saturday, when the same shall be open from 8.30 o'clock a. m. until 12 o'clock m. *Held*, that in view of such construction of the statute, the city board of school examiners were not prohibited under the ordinance from continuing beyond noon of Saturday an examination of applications for positions as public school teachers.—Cohn *v.* Townsend, 94 N. Y. S., 817.

The courts have no power to control the exercise of the judgment and discretion reposed by law in an executive officer as part of his official functions, and hence can not control the action of the board of school examiners of a city as to fixing the day for holding teachers' examinations, or as to granting special examinations to persons observing Saturday as a Sabbath.—*Ibid.*

777. **North Carolina**: Amending sec. 4162, chap. 85, Revisal, 1905, relative to teachers' certificates.

Providing for state certificates and prescribing the conditions therefor. Creating state board of examiners and prescribing composition, compen-

sation, and duties. Providing that teachers holding state certificates shall be paid minimum salary of $30 per month.

Sec. 11, chap. 835, Mar. 9, 1907.

778. **North Carolina:** Amending sec. 4163, chap. 85, Revisal, 1905, relative to qualifications of teachers.

Inserting provision relative to recognition of state certificates.

Sec. 1j, chap. 835, Mar. 9, 1907.

779*. **Ohio:** Repealing, and reenacting with amendments, secs. 4073 and 4081, Revised Statutes (1905), relative to the granting and revocation of teachers' certificates, age limit, and hearing on revocation of certificates in counties and in city school districts.

Minor modifications of the conditions of renewal of certificates without examination. Professional certificates—i. e., those issued for five or eight years—to be valid in any county in the State; when granted by a city board of examiners, in any city in the State. Providing for certificates without formal examination, except in theory and practice of teaching and in the science of education, to graduates of schools for training of teachers and colleges and universities. Providing also for temporary certificates.

H. B. 453, p. 350, May 9, 1908.

780. **South Dakota:** *See enactment No. 100.*

D 781. **Texas** (1906): In prosecution for fraudulently using questions prepared by the state superintendent of public instruction for the examination of teachers for certificates, evidence examined, and *held* insufficient to sustain a conviction.—Felder *v.* State, 97 S. W., 701; Fulsom *v.* Same, 98 S. W., 853.

Evidence *held* insufficient to sustain a conviction for fraudulently procuring and using questions prepared by the superintendent of public instruction for teachers' examinations.—Felder *v.* State, 97 S. W., 701.

An instruction authorizing a conviction of defendant if he unlawfully procured and used the questions prepared by the superintendent of public instruction for teachers' examinations was erroneous for failure to charge that the questions must have been fraudulently used.—*Ibid.*

Acts, twenty-ninth legislature, p. 296, chap. 124, sec. 124a, making it a penal offense for an applicant for a teacher's certificate, prior to examination, to procure or fraudulently use the questions previously prepared by the state superintendent to be used in the examinations, is not invalid because it does not eliminate in terms county superintendents of public instruction and boards of examiners from having and using the questions prepared by the superintendent of public instruction.—Felder *v.* State, 97 S. W., 701.

D 782. **Texas** (1906): Acts, twenty-ninth legislature, p. 296, chap. 124, sec. 124a, making it a penal offense for an applicant for a teacher's certificate, prior to an examination, to procure or use the questions previously prepared by the state superintendent and forwarded to the board of examiners, to be used by them in examination, is included in the title to the act, which is, "Schools—providing for a complete system of public free schools in Texas," and in the phrase in the caption, "providing for board of examiners and the issuance of teachers' certificates," and is in compliance with constitution, art. 3, sec. 35, relating to the title and caption of acts.—Felder *v.* State, 97 S. W., 701.

783. **Vermont:** Amending sec. 660, Statutes, 1894, as amended by sec. 6, act No. 19, Acts, 1896, and by sec. 7, act No. 25, Acts, 1902, relative to the issuance of teachers' certificates.

"Sec. 660. A certificate which shall be valid until revoked by the officers granting the same may be issued by the concurrent action of the superintendent of education and the examiner of teachers in the county where the teacher last taught, to a person who has taught in the public schools five hundred weeks; or to a person who is a graduate of an approved college and who has devoted at least eight years to teaching

in or superintending public schools in the State; also to a person who has taught in the public schools of the State for two hundred weeks, and has held certificates of the first grade for ten years, or certificates of the first and second grades for twelve years, or certificates of the second or third grade, or their equivalents, for fourteen years, provided that in no case special certificates are included."

Act No. 47, Nov. 9, 1906.

784. **Washington:** Amending sec. 2407, Annotated Codes and Statutes, 1897, relative to the classification and issuance of teachers' certificates.

Providing for permanent certificates under specified conditions to holders of certain certificates. Providing also for the issuance of temporary certificates by the superintendents of schools of certain cities.

Chap. 58, Mar. 4, 1907.

785. **Washington:** Providing for the holding of state certificates and life diplomas.

Chap. 81, Mar. 7, 1907.

786. **Washington:** Relative to the certification of teachers in cities employing 400 or more teachers in the public schools thereof.

Creating a city board of examiners, prescribing their powers and duties, and the conditions for granting the several grades of certificates.

Chap. 239, Mar. 18, 1907.

787. **Washington:** Amending sec. 139 (Code of Public Instruction), relative to the issuance of state certificates without examination.

Sec. 12, chap. 240, Mar. 18, 1907.

788*. **Wyoming:** Amending and reenacting sec. 629, Revised Statutes, 1899, as amended by sec. 3, chap. 90, Laws, 1903, relative to a state board of examiners. Repealing sec. 631, Revised Statutes, 1899, as amended by sec. 4, chap. 57, Laws, 1901, relating to the examination of teachers.

Providing for the issuing of teachers' certificates by state superintendent of public instruction; also for the compensation of the members of the state board of examiners.

Providing that state board of examiners shall recommend annually list of books for the state reading circle for teachers and list of books suitable for general reading by pupils.

Repealed sections relate to conduct of teachers' examinations and the issuing of certificates by county superintendent.

Chap. 65, Feb. 16, 1907.

(c) Teachers' examinations and certificates: Special.

Aside from the two Wisconsin amendments (795) and (796), the enactments of this group contain nothing of large interest.

789. **Kansas:** Authorizing county superintendents to issue temporary teachers' certificates.

Certificates to be valid until next quarterly examination.

Chap. 342, Mar. 7, 1907.

790. **Vermont:** Amending sec. 1, act No. 33, Acts, 1904, relative to the issuance of special teachers' certificates.

Sec. 1, act No. 43, Dec. 18, 1906. (Apr. 1, 1907.)

791. **Vermont:** Amending sec. 1, act No. 24, Acts, 1898, as amended by sec. 1, act No. 26, Acts, 1900, relative to the issuance of special certificates to kindergarten and primary teachers.

Sec. 2, act No. 43, Dec. 18, 1906. (Apr. 1, 1907.)

792. **Vermont:** Amending sec. 662, chap. 35, Statutes, 1894, as amended by sec. 3, act No. 20, Acts, 1898, and by sec. 8, act No. 25, Acts, 1902, and by sec. 1, act No. 35, Acts, 1904, relative to discretionary permits to teach.

Giving discretionary power to county examiner in the issuance of permits to teach based upon examinations by town superintendents.

Act No. 48, Nov. 7, 1906.

793. **Washington:** Amending sec. 51, chap. 118, Laws, 1897 (Code of Public Instruction), relative to qualification of teachers.

Providing for recognition of temporary certificates granted by certain city superintendents.

Sec. 6, chap. 240, Mar. 18, 1907.

794. **Washington:** Amending sec. 137 (Code of Public Instruction), relative to teachers' diplomas and certificates.

Providing for the issuance of temporary certificates by superintendents of city schools in certain instances.

Sec. 11, chap. 240, Mar. 18, 1907.

795. **Wisconsin:** Amending sec. 458g, Statutes, 1898, and sec. 1, chap. 69, Laws, 1903, and making the said sec. 458q, Statutes, 1898, relative to legal qualifications of kindergarten teachers.

Giving diplomas from normal kindergarten training schools value as certificates to teach in the first three years of the primary grades. Construing "primary grade" as in sec. 1, chap. 248, Laws, 1905.

Chap. 317, June 21, 1907.

796. **Wisconsin:** Repealing, and reenacting with amendments, secs. 458a, 458b, 458d, 458g, and 458h, Statutes, 1898, as amended by chap. 171, Laws, 1901, and sec. 1, chap. 64, Laws, 1903, relative to the granting of state teachers' certificates and licenses by the state superintendent of public instruction.

Providing for two years' successful teaching experience within the State as a condition for the issuance of unlimited state certificates to holders of state certificates granted in other States; providing also for special temporary licenses in such cases.

Providing for licenses and state certificates after one year of successful experience to graduates of kindergarten training, or manual training, and of domestic-science courses of normal schools, to graduates of the full and elementary courses of the state normal schools, and to graduates of the University of Wisconsin. University and normal-school diplomas no longer to be countersigned by state superintendent.

Chap. 579, July 12, 1907.

(d) Teachers' certificates: Validity; indorsement; registration; revocation.

The enactment in Iowa (798) relative to the validation of teachers' certificates issued in other States is of interest in connection with the developing movement for increased reciprocity and a juster comity between States in the matter of the certification of teachers. The step taken by North Dakota (802), for the very evident protection of school boards from teachers willfully violating contracts, reflects in a striking way both ethical and economic circumstances. This enactment is similar in intent to those of Oklahoma and Oregon in 1905. The decision in the case of Stone *v.* Fritts, in Indiana (D 797), may be regarded as one of the most interesting of the recent interpretations of the legal aspects of the issuance and revocation of teachers' certificates.

D 797. **Indiana** (1907): [a] The statute authorizing the granting of a license to teach in a public school may provide for its revocation under designated contingencies.—Stone *v.* Fritts, 82 N. E., 792.

Burns's Ann. Stat., 1901, sec 5905f, authorizing the county superintendent of schools to revoke teachers' licenses, *held* to justify the superintendent to revoke only for the statutory causes, and if he acts on other grounds, equity may intervene.—Ibid.

The utmost the holder of a teacher's license may ask, as to proceedings to revoke the license, is that they shall conform to the law authorizing revocation.—Ibid.

Where a county superintendent has jurisdiction of a proceeding to revoke a teacher's license, his bias and want of judicial capacity are not grounds for interference by the courts.—Ibid.

798*. **Iowa:** Empowering the board of educational examiners to validate teachers' certificates issued in other States.

Requirements for such certificates must be equal to requirements imposed within the State.

Chap. 149, Feb. 23, 1907.

799. **Michigan:** Amending sec. 15, act No. 194, Acts, 1889 (sec. 1826, Compiled Laws, 1897), relative to life certificates to teach.

Minor provision concerning indorsement of certificates from other States.

Act No. 125, June 5, 1907.

800. **Michigan:** Amending sec. 7, act No. 147, Acts, 1891 (sec. 4814, Compiled Laws, 1897), relative to the suspension and revocation of teachers' certificates.

Providing for procedure in revoking certificates by board of school examiners and for temporary suspension of certificate by county commissioner of schools. Providing also for appeal to probate court.

Sec. 1, act No. 127, June 5, 1907.

801. **Montana:** Amending sec. 1520, Political Code, 1895, relative to the revocation of state and life diplomas by the state superintendent of public instruction.

Providing for revocation for any cause that would require the state board of education to refuse to grant it if known at time diploma was granted. Providing for the issuance of temporary state certificates by state superintendent.

Chap. 9, Feb. 8, 1907.

802. **North Dakota:** Amending sec. 872, Revised Codes, 1905, relative to examinations and certificates of teachers.

Providing for revocation of certificate of teacher willfully violating contract with school board.

Chap. 104, Mar. 12, 1907.

803. **Oklahoma:** Relative to teachers' certificates.

Designating conditions of validity, indorsement, and revocation.

Chap. 77, H. B. 46, p. 668, Mar. 20, 1908.

804. **Vermont:** Amending sec. 4, act No. 25, Acts, 1902, relative to special teachers' certificates.

Authorizing issuance by examiner of teachers of special third instead of special second grade certificates to holders of certificates from other States. Adding provision that a "second special third grade certificate shall not be issued until the applicant has received another first or second grade certificate issued on examination."

Sec. 2, act No. 44, Nov. 8, 1906.

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[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

805. **Vermont:** Amending sec. 657, Statutes, 1894, as amended by sec. 5, act No. 25, Acts, 1902, relative to the continuance of teachers' certificates.
Sec. 1, act No. 47, Nov. 9, 1906.

806. **Washington:** Amending secs. 144 and 145 (Code of Public Instruction), relative to renewal of teachers' certificates.
Secs. 14 and 15, chap. 240, Mar. 18, 1907.

807. **Wisconsin:** Amending sec. 450a, Statutes, 1898, as created by sec. 2, chap 439, Laws, 1901, relative to examinations and to transfer and renewal of teachers' certificates.
Chap. 445, June 27, 1907. (July 1, 1907.)

(e) Teachers' certificates; recognition of normal school and college or university diplomas.

The enactments giving certification values to normal school and college or university diplomas are in accord with well-established educational practice. The enactments in Iowa (815), Kansas (816), Louisiana (818), Maryland (819), Nebraska (821), Ohio (822), Texas (823), and West Virginia (826–828) are representative.

The action taken by the State of Illinois (810–813), granting to the normal schools of the State the right to confer degrees, is not without great significance to all those who discern possible grounds of controversy between normal schools and universities in the matter of the training of teachers, especially for secondary schools.

808. **Arkansas:** *See enactment No. 903.*

809. **Idaho:** Empowering state board of education to authorize county superintendents to grant teachers' certificates to graduates of state normal schools and to graduates of colleges and universities.
Requiring, in addition, successful teaching experience of twenty-seven months.
H. B. No. 202, p. 255, Mar. 12, 1907.

810*. **Illinois:** Amending sec. 6, p. 299, Acts, 1857, providing for the establishment and maintenance of a normal university.
Adding provision empowering the board of education, upon recommendation of the faculty, to issue diplomas and confer professional degrees.
S. B. 390, p. 527, June 1, 1907.

811*. **Illinois:** Amending sec. 12, p. 63, Acts, 1895, relative to the establishment and maintenance of the Eastern Illinois State Normal School.
Adding provision empowering board of trustees, on the recommendation of the faculty, to issue diplomas and confer professional degrees.
"And the said board shall have the further power, on recommendation of the faculty of said Eastern Illinois State Normal School, to issue diplomas to such persons as shall have satisfactorily completed the required studies, and to confer such professional degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study."
S. B. 452, p. 522, June 1, 1907.

812*. **Illinois:** Amending sec. 12, p. 71, Acts, 1895, relative to the establishment and maintenance of the Northern Illinois State Normal School.
Adding provision empowering board of trustees, on the recommendation of the faculty, to issue diplomas and confer professional degrees.
S. B. 454, p. 524, June 1, 1907.

813. **Illinois**: Amending sec. 12, Acts, 1869, relative to the establishment and maintenance of the Southern Illinois Normal University.

Adding provisions empowering board of trustees, upon recommendation of the faculty, to issue diplomas and confer professional degrees.

S. B. 455, p. 527, June 1, 1907.

D 814. **Indiana** (1908): An act approved March 7, 1905 (Acts, 1905, p. 492, sec. 1; Burns' Ann. Stat., 1905, sec. 5902a), provides that no person shall be eligible to the office of county superintendent of schools unless he shall hold a thirty-six months' license, a sixty months' license, or a life or professional license to teach in the common schools of the State. The act concerning common schools, approved March 6, 1899 (Acts, 1899, p. 488, chap. 214, sec. 1; Burns' Ann. Stat., 1901, sec. 5905b), provides for the issuance of a thirty-six months' license and a sixty months' license by the state superintendent of public instruction. The act of 1899 (Acts, 1899, p. 243, chap. 143, sec. 7; Burns' Ann. St., 1901, sec. 5905a) provides for the issuance of a professional license on such examination held by the county superintendent as may be prescribed by the state board of education, and that such license shall issue only on the approval of the state board. The school law of 1865 (Acts, 1865, p. 34, chap. 1, sec. 155; Burns' Ann. Stat., 1901, sec. 5851) provides for the issuance of state certificates of qualification by the state board of education, which shall entitle the holders to teach in any of the schools of the State without further examination and be valid during the lifetime of the holders. The act approved March 5, 1873 (Acts, 1873, p. 199, chap. 86, sec. 3; Burns' Ann. Stat., 1901, sec. 6049), in amendment of and supplemental to the original act creating the State Normal School, authorizes the board of trustees to grant certificates of proficiency to teachers completing the prescribed courses of study, and provides that two years after graduation, satisfactory evidence of professional ability to instruct having been received, such teachers shall be entitled to diplomas appropriate to such professional degrees as the trustees shall confer on them, which diplomas shall be considered sufficient evidence of qualification to teach in any of the schools of the State. *Held*, that a post-graduate diploma, granted pursuant to the act approved March 5, 1873 (Acts, 1873, p. 199, chap. 86; Burns' Ann. Stat., 1901, sec. 6049), to a graduate of the State Normal School of two years' standing, was not a life license within the act approved March 7, 1905 (Acts, 1905, p. 492, chap. 163, sec. 1; Burns' Ann. Stat., 1905, sec. 5902a).—Benham *v.* Bradt, 84 N. E., 1084.

815. **Iowa**: Empowering state board of educational examiners to issue state certificates to graduates of higher institutions of learning.

Certificates to be issued upon evidence of fitness required by sec. 2629, Code Supplement, 1902; valid for five years; renewal. (Additional to chap. 2, tit. 13, Code, 1897, and chap. 122, Laws, 1906.)

Chap. 148, Apr. 13, 1907.

816. **Kansas**: Relative to qualifications of teachers in common school districts employing ten or more teachers.

Providing for examining committee and prescribing qualifications of teachers. "And no person except one who holds a diploma or a certificate from the state board of education or a diploma from the state normal school shall be elected by such [district] board as a teacher who can not produce a certificate from the examining committee, and setting forth that such person is competent to teach in such department of said school as may be stated in the certificate and is a person of good moral character; and provided, that a person holding such state diploma, state certificate or state normal school certificate or a certificate granted by the aforesaid examining committee shall not be required to take any county teachers' examinations." Chap. 340, Mar. 9, 1907.

817. **Louisiana**: Fixing the status of diplomas and degrees granted by the Louisiana State University and Agricultural and Mechanical College.

Entitling holders to same rights, immunities, and privileges in the State as holders of diplomas and degrees of any other institution of learning whatsoever. Act. No. 93, July 1, 1908.

818. **Louisiana:** Amending and reenacting sec. 59, act No. 214, Acts, 1902, as amended by act No. 133, Acts, 1906, relative to the recognition of certain diplomas as teachers' certificates.

Providing for recognition of diplomas of Teachers' College, Tulane University, and of teachers' training departments having an approved curriculum. Act No. 174, July 3, 1908.

819*. **Maryland:** Adding sec. 122E, Public General Laws, 1904, relative to the granting of teachers' certificates to holders of diplomas from approved colleges and universities.

Chap. 635, p. 228, Apr. 6, 1908. (Aug. 1, 1908.)

820. **Michigan:** Amending sec. 1, No. 126, Acts, 1893 (sec. 4805, Compiled Laws, 1897), relative to granting of teachers' certificates.

Empowering state board of education to grant teachers' certificates (formerly "shall grant") without examination to holders of bachelors', masters', or doctors' degrees from four-year colleges in State. Prescribing, in addition to the previous requirement of instruction in science and art of teaching, that such students "shall have had opportunity for observation of the actual work done in the grades of and high schools of public schools." Annulment of certificate by state board of education only for cause after a personal hearing of the case.

Act No. 112, May 28, 1907,

821*. **Nebraska:** Repealing and reenacting with amendments secs. 11141, 11142, 11143, 11144, and 11145, and repealing sec. 11146, chap. 51, Cobbey's Annotated Statutes, 1903, relative to state teachers' certificates.

Providing that colleges or universities in the State shall from year to year maintain entrance requirements, degree requirements, and professional study requirements equivalent to those of the University of Nebraska before graduates shall be entitled to receive certificates to teach. State superintendent of public instruction to satisfy himself by personal inspection or by personal inspection of the state board of examiners for life certificates that said requirements have been maintained. Providing for signing of certificates by authorities of institutions. All such certificates subject to the provisions for lapsing prescribed in sec. 11114c, Cobbey's Supplement, 1905.

Making similar provisions for the recognition of the graduates of colleges, universities, and normal schools maintaining courses equivalent to the courses given in state normal schools. Provisions concerning inspection, entrance requirements, and so on.

Prescribing sundry other conditions for institutions designated.

Chap. 123, Apr. 8, 1907.

822. **Ohio:** *See enactment No. 779.*

823. **Texas:** Validating the diploma of the "Texas Industrial Institute and College for the Education of White Girls of the State of Texas in the Arts and Sciences," as a first grade state teacher's certificate; providing for the validation or extension of such diploma as a permanent state teacher's certificate; and authorizing school trustees to employ the holders of such diplomas as teachers, and to pay them from the state, county, and local funds.

Chap. 68, Apr. 5, 1907.

824. **Utah:** Amending sec. 3, chap. 71, Laws 1905, relative to the issuance of teachers' temporary certificates by the state board of education.

Permitting board to grant certificates valid for two years, without examination, to graduates of normal training schools of high standard.

Chap. 42, Mar. 14, 1907.

825. **Washington:** *See enactment No. 112.*

826. **West Virginia:** Amending and reenacting sec. 85, chap. 45, Code, 1906, relative to the West Virginia University and the value of a diploma issued from said institution.

Giving to such diploma a value equivalent to a first-grade certificate for a period of five years. "*Provided*, that the person obtaining such diploma shall have completed not fewer than six courses in the department of education of said institution."

Chap. 24, Feb. 11, 1908.

827. **West Virginia:** Amending and reenacting sec. 58, chap. 45, Code, 1906, relating to the state normal school and its branches and the value of a diploma issued therefrom.

Diploma to be equivalent to first-grade certificate for a period of five years; graduates of branch normal schools to have same rights and privileges as graduates of Marshall College (West Virginia State Normal School).

Chap. 24, Feb. 14, 1908.

828. **West Virginia:** Amending and reenacting subsec. 11, sec. 98b, chap. 45, Code, 1906, relative to the West Virginia colored institute.

Providing for diplomas for pupils completing course of study in the normal department. Diploma equivalent to first-grade certificate in duplicate for a period of five years.

Chap. 25, Feb. 25, 1908

(f) Teachers' Associations.

829. **Wisconsin:** Amending sec. 335e, Statutes, 1898, as amended, relating to printing the proceedings of the Wisconsin Teachers' Association.

3,000 [formerly 1,500] copies of proceedings to be printed.

Chap. 184, June 6, 1907.

F. TEACHERS: EMPLOYMENT, ETC.

(a) Employment; contract; appointment; dismissal.

The enactments grouped under this heading vary apparently in wide degree as to their aim, yet all possess the common characteristic which justifies their classification in this manner. The amendment in Alabama (830) as to the contracts of teachers is typical of a movement wherever the county has become the unit of school organization and a county board of education organized. The legislative sanction for the extension of the tenure of office of principals and superintendents in Missouri (843) is one that will admit of imitation throughout the country. The provision of the Louisiana (838) amended statute providing that the marriage of a woman teacher at any time shall *ipso facto* vacate her position, will be read with interest in connection with the former decision of the New York court of appeals, to which reference is made in New York (847). Michigan (841) followed the example of Massachusetts by enacting a measure establishing a bureau of information and employment for school officers and teachers. Massachusetts (840) amended her original act

upon this topic so as to remove the requirement for the payment of a registration fee.

The North Carolina (850) provision relative to the dismissal of teachers without hearing, and the Maryland decision (D839), will have a wholesome result in establishing more reasonable relations between employing boards and employed teachers. The decisions in California (D834), Indiana (D836, D837), and Illinois (D835), offer interesting commentaries upon some current practices.

830. **Alabama:** Amending sec. 9, act No. 365, p. 289, Laws, 1903, providing for the redistricting and management of the public schools.

Providing that teachers' contracts shall be made by county board of education upon *nomination* of district trustees. County board of education to perform duties of district trustees whenever latter fail to act. Sec. 2, act No. 358, p. 478, July 17, 1907. (Sec. 1699, Code, 1907.)

D 831. **Alabama** (1906): As sec. 10 of the act (Laws, 1903, p. 292) makes it the duty of the district trustees to employ teachers subject to the approval of the county board, sec. 11 does not deprive the trustees of the right to employ a teacher subject to such approval, nor authorize the board to employ one.—Gibson *v.* Mabrey, 40 So., 297.

D 832. **California** (1904): Under Stat., 1907, p. 621, chap. 15, art. 9, sec. 5, authorizing the board of education of a city to employ, pay, and dismiss teachers, and sec. 14, p. 624, of said article, providing that teachers elected to permanent positions, who are reported upon favorably by a majority of the committee on classification, shall retain their positions for the ensuing year without reelection, and shall be removed only for cause; the board of education has the right to remove any teachers, including those elected to permanent positions, at will, except such teachers holding permanent positions as have been favorably reported upon by the committee on classification.—Stockton *v.* Board of Education of City of San Jose, 78 P., 730; 145 Cal., 246.

Nor does the further provision of sec. 5 of said article and act to the effect that no election of a teacher shall be construed as a contract, either as to the duration of time or amount of wages, give the teacher any great right or security from removal, but the object of such provision is to protect the city against a claim that a teacher is entitled to serve for any particular time or at any particular compensation.—*Ibid.*

Under Stat., 1897, pp. 621, 624, chap. 15, art 9, secs. 5 and 14, empowering the board of education of a city to dismiss teachers, but providing that teachers elected to permanent positions and reported upon favorably by a majority of the committee on classification shall be removed only for cause, any irregularity in the proceedings of the classification committee can not avail a teacher who has not been favorably reported by that committee, in proceedings to regain her position.—*Ibid.*

D 833. **California** (1905): Under Pol. Code, secs. 1791, 1793, and the charter of San Francisco, the board of education may investigate charges and remove a teacher thereon, although such charges are not preferred by the superintendent.—McKenzie *v.* Board of Education of City and County of San Francisco, 82 P., 392.

D 834. **California** (1907): Where school trustees in their individual capacity agree with one to employ him as a teacher and afterwards in regular session as a board repudiate or disregard the agreement, such person is without redress, since the agreement was void, as against public policy.—McGinn *v.* Willey, 91 P., 423.

D 835. **Illinois** (1906): A contract between the board of education of a school district, authorized by 3 Priv. Laws, 1867, p. 321, to manage and control the common schools and employ and discharge teachers, and fix their salaries, and the state board of education, whereby the State Normal

University is permitted to furnish teachers not having the usual legal qualifications for certain classes, and critic teachers are to be employed by the state board and public school board acting concurrently, who are paid in part by the school district, is void.—Lindblad *v.* Board of Education of Normal School Dist., 77 N. E., 450; 221 Ill., 261, reversing judgment (1905), 122 Ill. App., 617.

D 836. **Indiana** (1904): Burns' Ann. Stat., 1901, sec. 5989a, provides that all contracts with school-teachers shall be in writing, and that no action shall be brought on any contract not made in conformity with the act. *Held* that, where services were rendered by a school-teacher under an oral employment, he could not recover therefor on a quantum meruit, notwithstanding the services were necessary, acceptable, and beneficial to the school corporation.—Lee *v.* York School Tp. of Elkhart County, 71 N. E., 956.

D 837. **Indiana** (1904): The provision of Burns' Ann. Stat., 1901, sec. 5989a (Acts Gen. Assem. 1899, p. 173, chap. 111), requiring all contracts for the employment of school-teachers to be in writing and signed by both parties, is mandatory.—Taylor *v.* School Town of Petersburg, 72 N. E., 159.

838. **Louisiana**: Amending and reenacting sec. 74, act No. 81, Acts, 1888, relative to free public schools in the city of New Orleans.

Teachers and principals now or hereafter employed to be considered permanent employees and removable only for cause: "*Provided*, That the marriage of a female teacher at any time shall *ipso facto* vacate her position."

Act No. 166, July 2, 1908.

D 839*. **Maryland** (1906): Code Pub. Gen. Laws, 1904, art. 77, sec. 53, authorizes the board of school trustees to remove teachers at their election after notice in writing, giving, when required by the teacher so notified, the reasons for dismissal. *Held*, that letters notifying a teacher that the trustees believed it for the best interests of the school that her services be dispensed with did disclose the reasons for her dismissal and were insufficient.—Underwood *v.* Board of County School Commissioners of Prince George County, 63 A., 221; 103 Md., 181.

840. **Massachusetts**: Amending sec. 1, chap. 399, Acts, 1906, relative to the registration of teachers with the state board of education.

Removing requirement for payment of fee of two dollars.

Chap. 213, Mar. 16, 1907.

841. **Michigan**: Providing for the establishment in the office of the superintendent of public instruction of a bureau of information for the benefit of school officers, superintendents, and teachers.

Providing that teachers desiring employment may register in the bureau of information. Fee, $1. Information bureau to be free to school officers, superintendents, and teachers. Recommendation of teacher not obligatory.

Act No. 251, June 27, 1907.

D 842. **Michigan** (1906): A provision in a contract between a school district and a teacher, authorizing the teacher's dismissal at any time on thirty days' notice, was not beyond the power of the district.—Dees *v.* Board of Education of City of Detroit, 109 N. W., 39; 146 Mich., 64; 13 Detroit Leg. N., 696.

843*. **Missouri**: Amending sec. 9864, art. 2, chap. 154, Revised Statutes, 1899, relative to city, town, and village schools.

Providing that the board of directors of a city, town, or village school district by "unanimous vote may elect a principal or a superintendent for a term of two years, providing such principal or superintendent has previously been annually elected to said position and has served in said capacity for at least two successive years."

S. B. No. 164, p. 427, Mar. 6, 1907.

844. **New Jersey**: *See enactment No. 344.*

D 845. **New York** (1906): The board of education of the city of New York may dispense with the services of a teacher or any of its clerical force, if they are unnecessary, without the preferment of charges against the incumbent and without passing a resolution formally abolishing the position.—People *v.* Board of Education of City of New York, 99 N. Y. S., 737; 114 App. Div., 1.

D 846. **New York** (1906): Under Greater New York charter, Laws 1901, p. 483, chap. 466, sec. 1101, providing that all school officers or other employees appointed by the board of education before the act took effect should continue to hold their respective positions, etc., subject to change of title, etc., and subject to the right of the board of education to abolish unnecessary positions, the board has power, if a position becomes unnecessary, either to abolish it or to transfer the incumbent to some other position in the department; and hence the board had power, after creating the position of additional auditor, to remove an appointee thereto and transfer him to another department at a reduced salary, as fixed by the board of estimate and apportionment.—People *v.* Board of Education of City of New York, 99 N. Y. S., 737; 114 App. Div., 1.

D 847. **New York** (1906): The by-laws of the board of education of the city of New York provided that the marriage of a female teacher vacated her position and that she could be removed therefor. The attention of a teacher who had recently been married was called to this regulation by the principal of the school in which she was teaching, and also by the district superintendent. Upon their assurance that it would be necessary for her to do so, she resigned. *Held*, that such resignation was not obtained by fraud or duress, though the regulation in question was subsequently held by the court of appeals illegal and void.—Grendon *v.* Board of Education of City of New York, 100 N. Y. S., 253; 114 App. Div., 759.

D 848. **New York** (1907): The board of education of the city of New York may dispense with the services of a teacher or any of its clerical force, if they are unnecessary, without the preferment of charges against the incumbent and without passing a resolution formally abolishing the position. Order (1906) 99 N. Y. S., 737; 114 App. Div. 1, affirmed.—People *v.* Board of Education of City of New York, 80 N. E., 1116; 187 N. Y., 535.

D 849. **New York** (1907): The board of education of the city of New York appointed a teacher to the position of teacher in an evening school. The notice of appointment merely fixed the time of service. The teacher accepted the appointment. *Held*, that both parties entered into the contract with knowledge of the powers of the board, and the teacher could not complain of the board reducing her compensation in the manner prescribed by its by-laws.—Morris *v.* Board of Education of City of New York, 104 N. Y. S., 949; 54 Misc. Rep., 605.

A teacher in an evening school is not a public officer, nor is he within Laws, 1900, p. 1605, chap. 751, fixing the minimum salary of a day schoolteacher; but he is employed to perform services for such compensation as is fixed in the contract, and in the absence of any agreement as to compensation, he can only recover what his services are reasonably worth.—*Ibid.*

850. **North Carolina**: Amending sec. 4161, chap. 85, Revisal, 1905, relative to the employment and dismissal of teachers.

Providing that school committee shall not dismiss teachers without hearing. Sec. 1h, chap. 835, Mar. 9, 1907.

851. **North Dakota**: Amending sec. 879, Revised Codes, 1905, relative to the opening and closing of school.

Requiring teachers to exhibit certificates to clerk of the district school board prior to receiving salary for the first month.

Sec. 7, chap. 95, Mar. 19, 1907.

D 852. **Ohio** (1904): Under Rev. Stat., sec. 4017, a board of education can not lawfully employ a teacher for a term which would expire after the term

of office of every member of the board employing him had expired by law.—Board of Education of Canton *v.* Walker, 72 N. E., 898; 71 Ohio St., 169.

853. **Virginia:** Repealing sec. 1500, Code, 1904, relative to employment of more than one teacher in district schools when enrollment reached 40 pupils.
Chap. 396, Mar. 16, 1906.

(b) Teachers' Salaries.

The movement for better salaries through the provision of more adequate supporting funds, and through the establishment of minimum salary schedules, gains headway each biennium. The provision in California (855) fixing a minimum proportion of school funds to be applied exclusively for the payment of teachers' salaries, the revised minimum salary laws of Indiana (857), of Pennsylvania (869), and of West Virginia (54), and the new minimum salary schedules of Maryland (858) and North Carolina (777), will be noted as positive evidences of the current trend of this matter. It has been thought advisable to present in full the several minimum salary measures of Indiana in order to display the development of the idea in that State.

The provision of the revised school code of New Mexico (859) fixing a *maximum* salary for teachers presents a new aspect of the matter of compensation as it seems to have developed in some quarters. Undoubtedly this provision was rendered necessary by some peculiar local situation.

854. **Arizona:** Amending par. 2240 (sec. 110, chap. 12, tit. 19), Revised Statutes, 1901, relative to payment of teachers' salaries.

Providing that only holders of legal certificates or diplomas in force for the *full term* for which payment is demanded shall be entitled to the same. County superintendent made liable for illegal warrants.
Sec. 4, chap. 67, Mar. 21, 1907. (July 1, 1907.)

855*. **California:** Amending sec. 1622, Political Code, 1906, relative to use of state and county school moneys for the payment of teachers' salaries.

Extending application of section to city boards of education; providing that 40 per cent only of county school money shall be used for purposes specified and all of state school money and at least 60 per cent of county school money shall be applied exclusively for the payment of teachers' salaries in primary and grammar schools.
Chap. 86, Mar. 5, 1907.

856. **Delaware:** *See enactment No. 615.*

857*. **Indiana:** Classifying and regulating the minimum wages of teachers in the public schools.

"SECTION 1. *Be it enacted* * * * That the daily wages of teachers for teaching in the public schools of the State shall not be less, in case of beginning teachers, than an amount determined by multiplying 2½ cents by the general average given such teacher in his highest grade of license at the time of contracting. For teachers having had a successful experience for one school year of not less than six months, the daily wages shall not be less than an amount determined by multiplying 3 cents by the general average given such teacher on his highest grade of license

at the time of contracting. For teachers having had a successful experience for three or more school years of not less than six months each, the daily wages shall not be less than an amount determined by multiplying 3½ cents by the general average given such teacher on his highest grade of license at the time of contracting. All teachers now exempt or hereafter exempt from examination shall be paid, as daily wages for teaching in the public schools, not less than an amount determined by multiplying 3 cents by the general average of scholarship and success given such teacher: *Provided*, That the grade of scholarship accounted in each case be that given at the teacher's last examination, and that the grade of success accounted be that of the teacher's term last preceding the date of contracting: *And, providing, further*, That 2 per cent shall be added to the teacher's general average of scholarship and success for attending the county institute the full number of days, and that said 2 per cent shall be added to the average scholarship of beginning teachers.

"SEC. 2. The qualifications required for teaching for the different classes shall be as follows:

"(*a*) A teacher without experience: Shall be a graduate of a high school or its equivalent. Shall have had not less than one term of twelve weeks' work in a school maintaining a professional course for the training of teachers. Shall have not less than a twelve months' license.

"(*b*) A teacher with one school year's experience: Shall be a graduate of a high school or its equivalent. Shall have had not less than two terms or twenty-four weeks' work in a school maintaining a professional course for the training of teachers or the equivalent of such work. Shall have not less than a two years' license. Shall have a success grade.

"(*c*) A teacher with three or more years' successful experience: Shall be a graduate of a high school or its equivalent. Shall be a graduate from a school maintaining a professional course for the training of teachers, or its equivalent. Shall have a three years' license or its equivalent. Shall have a success grade.

"*Provided*, That for teachers already in the service, successful experience in teaching shall be accepted as an equivalent for high school and professional training, as required by all the above classifications.

"SEC. 3. If any school officer shall pay to any teacher for school services at a rate less than that fixed by this act, he shall be fined in any amount not exceeding $100 and shall be liable in a civil action for wages to such teacher at the rate provided in this act, which may be recovered by such teacher, together with an attorney's fee of $25, in any court of justice of competent jurisdiction.

"SEC. 4. It shall be the duty of the state board of education, from time to time, to provide regulations which shall define the words 'high school' and 'equivalent' in this act, it being the intent hereof that only such schools be recognized as high schools as maintain a standard of scholarship and efficiency and course of study to the approval of the state board of education, and that the word 'equivalent' as used in this act shall mean such a course of study or training or the ability to pass such an examination as in the judgment of the state board of education would as fully qualify the applicant for teaching as the qualification of high school or normal school work and the license respectively named above requires." [a]

Chap. 101, Mar. 2, 1907. (Aug. 1, 1908.)

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[a] For the purpose of exhibiting the development of the minimum salary law in Indiana, the original law of 1901, together with the law as modified in 1903, is also presented:

INDIANA MINIMUM SALARY LAW OF 1901.

SECTION 1. Be it enacted * * *, That the daily wages of teachers for teaching in the public schools and attending county and township institutes shall not be less than an amount determined by multiplying 2½ cents by the general average of scholarship and success given the teacher on his highest grade of license at the time of contracting: *Provided*, That only the general average of scholarship shall be used in determining the wages of beginning teachers.

SEC. 2. School officers who shall be adjudged guilty of violating any of the provisions of this act shall be fined in any amount not exceeding one hundred dollars ($100) for each offense. Chap. 245, Mar. 12, 1901.

(Footnote continued on succeeding page.)

858*. **Maryland:** Adding sec. 122½, Public General Laws, 1904, relative to minimum salaries for public school teachers.

"SECTION 122½. That all white teachers holding a first-class teachers' certificate and having taught for a period of three years in any of the Public Schools of the State of Maryland, shall receive as a salary not less than $350 per annum, and provided further that if such teacher holds a first-class certificate and has taught in the public schools of Maryland for a period of five years, he or she shall receive as a salary not less than $400 per annum; and provided further that if a teacher holds a first class certificate and has taught in the public schools of Maryland for a period of eight years he or she shall receive as a salary not less than $450 per annum, and provided that if a teacher holds a second class certificate and has taught in the public schools of Maryland for a period of eight years he or she shall receive as a salary not less than $350 per annum and the County Commissioners of the several Counties shall levy a sufficient amount to meet the increase of salaries provided for in this Act."

Chap. 635, p. 226, April 6, 1908. (Aug. 1, 1908.)

859*. **New Mexico:** Revising and systematizing the school laws.

"*Teachers' wages.*—From and after September 1, 1907, the maximum salary that shall be paid to any teacher employed to teach in the public schools in this Territory holding a certificate not higher than the third grade shall be fifty ($50) dollars per month; the maximum salary that shall be paid to a holder of a certificate not higher than a second grade shall be seventy-five ($75) dollars per month: *Provided,* That permits shall in no case be classed as higher than a third grade certificate, but if a holder of a permit shall secure a regular teachers' certificate during the term for which he is engaged, the salary for the entire term may be fixed in accordance with the grade of said certificate; *Provided, further,* That a teacher employed in any of the public schools of this Territory shall be entitled to full pay for a period not to exceed one month during which the school may be closed by the board of school directors, board of education, or board of health, on account of loss by fire, danger from contagious disease, or other similar cause; and that every teacher employed in the public schools of this Territory shall be entitled to full pay for every legal holiday that may occur during the school term on any regular school day, and for the entire period of the Christmas holiday vacation not to exceed fifteen days when such vacation shall occur during the school term covered by the contract. These provisions shall apply to the public schools in cities, towns, and villages as well as in rural districts. Any school director, member of board of education, or other person violating the terms of

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(Footnote—Continued.)

INDIANA MINIMUM SALARY LAW AS MODIFIED IN 1903.

SECTION 1. *Be it enacted,* * * * That the daily wages of teachers for teaching in the public schools of the State shall not be less in the case of beginning teachers than an amount determined by multiplying 2¼ cents by the scholarship given said teacher on his highest grade of license at the time of contracting; and after the first school term of any teacher, said teacher's daily wages shall not be less than an amount determined by multiplying 2½ cents by the general average of scholarship and success given the teacher on his highest grade of license at the time of contracting; and after three years of teaching said wages shall not be less than an amount determined by multiplying 2¾ cents by the general average of scholarship and success given the teacher on his highest grade of license at the time of contracting: *Provided,* That 2 per cent shall be added to a teacher's general average of scholarship and success for attending the county institute the full number of days and that said 2 per cent shall be added to the average scholarship of beginning teachers.

SEC. 2. All teachers now exempt, or hereafter exempt from examination, shall be paid as daily wages for teaching in the public schools of the State not less than an amount determined by multiplying 2¾ cents by the general average of scholarship and success given said teachers: *Provided,* That the grade of scholarship counted in each case be that given at the teacher's last examination, and that the grade of success counted be that of the teacher's term last preceding the date of contracting.

SEC. 3. All school officers shall comply with the provisions of this act and shall pay the teachers employed by them no less than such an amount as shall be determined by sections 1 and 2 of this act. School officers who shall be adjudged guilty of violating any of the provisions of this act shall be fined in any amount not exceeding $100 for such offense. The state superintendent of public instruction is hereby authorized to bring action against any school officer violating any of the provisions of this act.

Chap. 242, Mar. 11, 1903.

this Section shall, upon conviction in a court of competent jurisdiction, be fined in the sum not less than ten ($10) dollars nor more than one hundred ($100) dollars, or imprisonment for a term not less than ten days nor more than ninety days, and may be removed from office by proper procedure."

Sec. 26, chap. 97, Mar. 21, 1907.

D 860. **New York** (1906): [a] Where teachers in a public school refuse to comply with the regulations forbidding the use of religious dress in the schools after notice thereof, they forfeit their right to further compensation under their contract of employment.—O'Connor *v.* Hendrick, 77 N. E., 612.

D 861. **New York** (1907): Greater New York Charter, Laws, 1897, p. 392. chap. 378, sec. 1086, provided that all yearly contracts of school-teachers should be continued until the expiration of the yearly term named therein. Sec. 1091 (p. 394) continued the salaries as fixed and paid at the date of the consolidation of the different boroughs under the charter until new schedules should be adopted by the borough boards. Sec. 1117 (p. 404) provided that all public-school teachers in any part of the city of Greater New York should continue to hold their positions and be entitled to such compensation as was then provided by the various school boards, subject to reassignment or to removal for cause. Laws, 1900, p. 1607, chap. 751, sec. 4, amending its charter of 1897 (Laws, 1897, p. 394, chap. 378, sec. 1091), provided that no female teacher of a girls' graduating class should after ten years' service receive less than $1,440 per annum. *Held* that, after ten years of service, a female teacher who taught a girls' graduating class, both before and after the consolidation, as well as at the time of the going into effect of chap. 751, became entitled by such act to a salary of $1,440 per annum, and upon retirement to a pension of half that amount; and the fact that during part of the time she taught in connection with a graduating class a class not so far advanced did not affect her right.—Moore *v.* Board of Education of City of New York, 106 N. Y. S., 983.

862. **North Carolina:** *See enactment No. 148.*

863. **North Carolina:** *See enactment No. 777.*

864. **North Dakota:** Making an appropriation to pay school-teachers teaching under contract in school districts in unorganized territory, which school districts were not lawfully organized, and providing manner of submitting claims.

Appropriating $1,000.

Chap. 101, Mar. 5, 1907.

865. **Ohio:** *See enactment No. 1435.*

866. **Ohio:** Repealing, and reenacting with amendments, sec. 4091, Revised Statutes (1905), relative to the compensation of teachers while attending county institutes.

Including superintendents of schools. Providing rate of compensation to be paid when institutes are held when schools are not in session.

H. B. 892, p. 451, May 9, 1908.

867*. **Ohio:** Appropriating $45,000 for assistance in the maintenance of weak school districts.

To make minimum salary law effective.

H. B. 1302, May 9, 1908.

D 868. **Ohio** (1906): Where a board of education has employed teachers for the district for the next ensuing school year, and such teachers, during vacation and after their employment, attend the county institute during

[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

the week, such board is authorized by Rev. Stat. 1906, sec. 4091, to pay them for the institute week as an addition to their first month's salary, as fixed by the terms of their employment, and at the same rate, on presentation of the certificates prescribed by said section.—Beverstock *v.* Board of Education of Bowling Green City School Dist. of Wood County, 78 N. E., 1007; 75 Ohio St., 144.

869. **Pennsylvania:** Fixing the salaries of common-school teachers, in districts receiving state appropriation, at no less than $40 per month where teacher holds a provisional certificate, and at not less than $50 per month in all cases where the teacher holds a professional, permanent, or normal-school certificate and has had two years' experience and obtained a certificate of proficiency in practice from the superintendent in charge of said teacher, and providing payment by the State for the increase in salary.

"SECTION 1. *Be it enacted, etc.*, That from and after the passage of this act, the salary of common-school teachers, in districts of this Commonwealth receiving State appropriation, shall be no less than fifty dollars per month in all cases where the teacher holds a professional, permanent, or normal school certificate, and has had two years practice, and presents a certificate of proficiency in said practice, for said time, from the superintendent in charge of said teacher.

"SEC. 2. That the minimum salary shall be forty dollars for all teachers holding certificates of less grade than required under section one of this act. And that the State shall pay the amount of increase in all salaries that are provided for under this act, and over the amount of salary paid in each school district in this Commonwealth in one thousand nine hundred and six, and said increase shall be paid out of the increased appropriation for the common schools.

"SEC. 3. The president and secretary of school districts, where the prescribed salary is greater than that paid for the school year beginning June, one thousand nine hundred and six, shall certify under oath to the State Superintendent of Public Instruction, on blanks prepared by him, the number of teachers, with the salary paid to each, in one thousand nine hundred and six; the number of teachers, with the salary paid each, for the year for which the report is made; also the number of months in the school term for said year. In order that any district may participate in this additional appropriation its report must be filed in the Department of Public Instruction on or before the first Monday of October, one thousand nine hundred and seven, and at the same time annually thereafter. The total amount payable to all the school districts in the State, on account of the increase of teachers' salaries as provided for in this act, shall first be deducted from the total annual school appropriation, and the balance of said appropriation shall be apportioned and distributed among the several school districts, as provided for under existing laws. The State Superintendent of Public Instruction shall, at the usual time of paying the regular appropriation, pay to those districts, from the annual school appropriation, an excess equal to the difference between the salaries of the teachers for the school-year one thousand nine hundred and six and the minimum salaries prescribed by this act.

"SEC. 4. This act shall take effect the first of June, one thousand nine hundred and seven."

Amending act No. 118, Oct. 5, 1903.
Act No. 249, May 31, 1907. (June 1, 1907.)

D 870. **Pennsylvania (1908):**[a] Act Feb. 12, 1869 (P. L. 150), creating the central board of education of Pittsburg, gives no power to such board to appoint a salary commission and delegate to it the power to examine teachers and fix their salaries.—Houston *v.* Central Board of Education of Pittsburg (Pa.), 68 A., 1036.

871. **West Virginia:** *See enactment No. 277.*

[a] See "Recent decisions," at the close of this bulletin, for complete text of decision.

(c) Teachers' pensions.

No phase of the practical as well as the professional side of education seems to have received more widespread attention during the biennium than that of teachers' pensions. It has been thought desirable and advantageous to present in full a number of these new pension measures; both those relating primarily to certain cities, and those contemplating a state wide application. For purposes of general information, the incorporation of the existing retirement-fund law of New York City has been thought justified.

The enactments in Louisiana (877) and Massachusetts (878) relative to the benefits of the retiring fund of the Carnegie Foundation for the Advancement of Teaching are in all likelihood the forerunners of similar enactments in other States during the coming biennium.

872. **Connecticut**: Making appropriation for the Connecticut Teachers' Annuity Guild for the two years ending Sept. 30, 1909.

Special acts, No. 373, July 11, 1907.

873. **Illinois**: Providing for the contribution from interest on public school funds to the public school-teachers' and public school employees' pension and retirement funds in cities having a population exceeding one hundred thousand inhabitants.

Providing that interest contributed shall not exceed, in any year, one per cent of sums so levied for such purposes.

H. B. 842, p. 528, May 24, 1907.

874. **Illinois**: Providing for the formation and disbursement of a public school-teachers' pension and retirement fund in cities having a population exceeding one hundred thousand inhabitants.

"SECTION 1. *Be it enacted, etc.*, That hereafter in cities having a population exceeding 100,000 inhabitants, there shall be created, established and maintained, in the manner provided by this act, a public school-teachers' pension and retirement fund, under the management and control of a board of trustees, to be elected as hereinafter provided.

"SEC. 2. There shall, in every city in this State having a population exceeding 100,000 inhabitants, be elected a board of trustees to have the administration and control of a public school-teachers' pension and retirement fund, to be created and maintained in the manner provided by this act. Such board of trustees shall consist of nine members, who shall each hold office until his successor is elected as herein provided. The secretary of the board of education of such city shall be *ex officio* a member of said board of trustees; in addition thereto there shall be elected annually at the first meeting of the board of education in the month of October of each year from said board two of its members to said board of trustees; and on the date of the first meeting of the said board of education held in October, A. D., 1907, there shall be elected six members to said board of trustees from the teachers' force employed in said city; two for the term of one year, two for the term of two years and two for the term of three years, and on the date of the first meeting of said board of education in the month of October of each year thereafter there shall in like manner be elected two members to said board of trustees, who shall hold their office for a term of three years. The election of the members of said board of trustees by the board of education shall be by a majority vote in such manner as they, the board of education, shall provide. The election of the members to said board of trustees by the teaching force of such city shall be by ballot at an election held by the board of education, which shall conform as near as may be to the provisions of the law in relation to school elections, and each person being a member of the teach-

ing force of such city, and a contributer to said pension and retirement fund shall be entitled to cast, at such election, one vote for each trustee to be elected. Elections to fill vacancies may be held and called by the board of education at the annual election: *Provided*, that the board of education may fill vacancies occurring in the membership of said board of trustees elected from said board of education at any regular meeting of the board of education.

"SEC. 3. Said board of trustees shall have charge of and (*sic*) administration of the public school-teachers' pension and retirement fund of such city, and shall have power to invest the same in such manner as it shall deem most beneficial to said fund, but in the same manner and subject to the same terms and conditions as township trustees are permitted to invest school funds under the laws now in force or such as shall hereafter be enacted and shall have power to make payments from said fund of pensions or annuities granted in pursuance of this act; and shall from time to time make and establish such by-laws, rules and regulations for the administration of said fund, as they shall deem advisable and shall have power to employ such assistance and service as may, in their judgment, be necessary for the proper enforcement of the provisions of this act and carrying into effect valid by-laws, rules and regulations enacted by them, and they shall have power to fill any vacancies occurring in said board of trustees of members elected from the teaching force of said city, until the next annual election, when said vacancies shall be filled as provided by this act.

"SEC. 4. The public school-teachers' pension and retirement fund of such city shall consist of moneys paid into said fund by persons desiring the benefits thereof, under the provisions of this act; of moneys received from donations, legacies, gifts, bequests or otherwise on account of said fund and of moneys paid into said fund in pursuance of any law now in force or hereafter to be enacted.

"SEC. 5. Any person who shall be employed to teach in the public school of any such city, after this act shall take effect, shall be entitled to the benefits of said fund upon complying with the provisions of this act, and for the purposes of this act such persons shall be divided into the following classes:

"1. Those who have taught five years or less.

"2. Those who have taught more than five years and not more than ten years.

"3. Those who have taught more than ten years and not more than fifteen years.

"4. Those who have taught more than fifteen years.

"And after this act shall take effect, there shall be set apart from the salaries of all persons hereafter entering for the first time the employ of the board of education of such cities $5 per annum, while they remain in the first class; $10 per annum while they remain in the second class; $15 per annum while they remain in the third class, and $30 per annum while they remain in the fourth class, which amounts shall be deducted by the board of education in equal installments from their respective salaries at the regular times for the payment thereof, and be paid into and constitute a part of the public school-teachers' pension and retirement fund of such city.

"SEC. 6. All persons who have heretofore been contributors to a public school-teachers' pension and retirement fund of cities having a population exceeding 100,000 inhabitants, under any law now in force but who have withdrawn from such participation, may, if the (they) shall exercise the option within six months from the time this act shall become effective renew their right to participation in a fund to be created in said city under the provisions of this act, by paying into said fund the full amount of any moneys they may have withdrawn from such previous fund and the full amount they would have contributed had they not withdrawn therefrom together with interest thereon at the rate of 4 per cent per annum from the time such moneys were withdrawn and from the time such payments would have become due to the date of their acceptance of the provisions of this section; and thereafter such persons shall contribute to said fund upon the same terms as teachers who shall hereafter be employed and become contributors to and beneficiaries of said fund.

"SEC. 7. All teachers who are now in the service of the board of education of any such city, other than those described in the previous section, may, if they shall exercise the option within six months from the time this act becomes effective become contributors to and beneficiaries of the public school-teachers' pension and retirement fund created under the provisions of this act, upon the same terms as teachers who shall hereafter be employed and become contributors to and beneficiaries of said fund under section 6 of this act.

"SEC. 8. Those teachers in the employ or hereafter to be employed by the board of education of any such city, who shall become contributors to and beneficiaries of a public school-teachers' pension and retirement fund, under any provision of this act, may count past service as a part of the period of twenty-five years hereinafter specified, by paying into said fund a sum equal to that which he or she would have contributed under the provisions of this act, had he or she been a regular contributor to said fund, during said period of past service, together with interest thereon at the rate of 4 per centum per annum from the time such payments would have been made to the time such persons shall by making such payment become entitled to the benefit of such past service.

"SEC. 9. Such board of trustees shall have the power and it shall be its duty to pass a resolution declaring the maturity of service and right to the immediate benefits of said fund in favor of persons entitled to the benefits thereof in the following cases:

1. When any such persons shall have taught in the public schools or rendered service therein for a period of twenty-five years within the meaning of this act.

2. When any contributor to the said fund shall have taught fifteen years in the public schools within the meaning of this act and shall by three competent physicians, who have made a physical examination of the teacher, at the request of a majority of such board of trustees, have been declared to be suffering from a permanent disability: *Provided*, that neither said board of trustees nor said board of education shall declare any contributor entitled to the immediate benefits of said fund until he or she shall have taught in the public schools of such city three-fifths of the term of service of twenty-five or fifteen years as the case may be; and no person shall be entitled to the benefits of said fund until he or she shall have retired from service as a teacher in said city.

"SEC. 10. Each teacher so retired or retiring after twenty-five years of service shall thereafter be entitled to receive an annuity of $400 and each teacher so retired because of permanent disability after fifteen years of service shall receive as an annual pension such proportion of the full annuity of $400 as the sum contributed by such teacher so retired bears to the total contribution required for a full annuity. Said pensions and annuities shall be paid monthly during the school year by said board of trustees out of the fund created in accordance with the provisions of this act in the manner provided by law for the payment of teachers' salaries.

"SEC. 11. The board of trustees in any such city, created by the provisions of this act, shall succeed to the administration of any like fund established under any law now in force in this State and such board is hereby given the power to use both the principal and income of all funds for the payment of the pensions or annuities in this act provided for, and shall have the power to reduce from time to time all pensions and annuities, provided such reduction shall be at the same rate on all classes and be rendered necessary by the condition of said fund. Any public school teacher who has heretofore retired from service and is entitled to a pension or annuity from like fund created under any law now in force to the administration of which such board of trustees has succeeded, or as a recipient of a pension or annuity thereunder, shall henceforth be entitled to participate in right of the present law on the same basis as members of the teaching force contributing to said pension and retirement fund, and to receive a graduating pension ranging from four-fifths to five-fifths of pensions paid under the provisions of this act, dependent upon time of service, and $30 per annum shall be withheld from such pensioner or annuitant as his or her additional contribution to said pension and retirement fund until he or she shall have paid the

aggregate contribution of $450, provided this clause shall not be operative until pensions shall be payable under the provisions of this act.

"SEC. 12. The president and the secretary of said board of education shall certify monthly to the city treasurer all amounts deducted from the salaries of teachers, special teachers, principals and superintendents of the board of education in accordance with the provisions of this act, which amounts, as well as all other moneys contributed to said fund shall be set apart and held by said treasurer as a special fund for the purposes hereinbefore specified, subject to the order of said board of trustees herein created, and shall be paid out upon warrants signed by the president and secretary of said board of education, and countersigned by the president of the said board of trustees.

"SEC. 13. The city treasurer *ex officio* shall be the custodian of said pension fund, and shall secure and safely keep the same, subject to the control and direction of said board of trustees and shall keep his books and accounts concerning such fund in such manner as may be prescribed by said board, and said books and accounts shall always be subject to the inspection of said board or any member thereof. Said city treasurer shall be liable on his official bond for the proper performance of his duties and the conservation of the fund created by this act. Any legal proceedings which may be necessary for the enforcement of the provisions of this act, shall be brought by and in the name of the board of education for the use of the board of trustees of the public school teachers' pension fund.

"SEC. 14. No teacher who has been, or who shall have been, elected by said board of education, shall be removed or discharged, except for cause, upon written charges, which shall upon said teacher's written request, be investigated and determined by said board of education, whose action and decision in the matter shall be final. If at any time a teacher who is willing to continue is not reemployed or is discharged before the time when he or she would, under the provision of this act, be entitled to a pension, then such teacher shall be paid back at once the money he or she may have contributed under this law. Any teacher who shall retire voluntarily from the service, prior to entering the aforesaid fourth class, shall receive a refund of one-half of the money he or she shall have contributed under this law.

"SEC. 15. All persons who shall hereafter be employed for the first time as teachers by the board of education of any such city shall by such employment accept the provisions of this act and thereupon become contributors to said pension fund in accordance with the terms hereof. And the provisions of this act shall become a part of and enter into any such contract of employment.

"SEC. 16. The money and property now in any such pension fund in any such city, under any law now in force in this State, shall be subject to the control of a board of trustees to be elected under the provisions of this act.

"SEC. 17. All pensions or annuities granted under the provisions of this act and every portion thereof shall be exempt from attachment or garnishment process and shall not be seized, taken, subjected to, detained or levied upon by virtue of any execution, or any process or proceedings whatsoever issued out of or by any court of this State for the payment or satisfaction in whole or in part of any debt, claim, damage, demand or judgment against any pensioner hereunder, and no annuitant or pensioner shall have the right to transfer or assign his or her pension or annuity or any part thereof either by way of mortgage or otherwise.

"SEC. 18. This act is intended to succeed and take the place of all previous acts on the subject of public school teachers' pension and retirement fund in cities having a population exceeding 100,000 inhabitants. And all acts and parts of acts in conflict herewith are hereby repealed."

H. B. 843, p. 529, May 24, 1907.

D 875. **Illinois** (1907): Hurd's Rev. Stat., 1903, p. 381, chap. 24, sec. 12, provides that no employee in the civil service of any city who shall have been appointed under the rules of the commission shall be discharged except for cause, etc., after investigation by the commission or a board appointed by the commission. Hurd's Rev. Stat., 1903, p. 1725, chap. 122, sec. 8, making provisions for a pension fund for the public school em-

ployees in certain cities, provides that no employee elected by the board of education shall be discharged except for cause upon written charges, which shall be investigated by said board of education, whose decision shall be final. In 1903 the public school employees' pension act was amended (Hurd's Rev. Stat., 1903, p. 1728, chap. 122, sec. 16), providing that all appointments of employees by the board of education shall be made pursuant to the civil service act, and that no employee who has contributed to such fund shall be discharged except for cause, upon written charges, determined by the board of education, etc. *Held*, that the amendment does not limit the power of the board of education to discharge those who have contributed to the pension fund, but it is given full authority to discharge any employees upon a proper hearing, but in all other respects the civil service laws are applicable to such employees.—People *v.* City of Chicago, 81 N. E., 370, 227 Ill., 445.

876. **Indiana:** Concerning pensions for aged, infirm, disabled, diseased, or retired teachers in cities having a population of 100,000 or more, according to the last preceding United States census; providing for a fund out of which said pensions shall be paid; providing for a board of trustees for the management and distribution of such fund, and prescribing regulations relative to the mode of obtaining, preserving, using, and disbursing such fund.

"SECTION 1. Be it enacted by the General Assembly of the State of Indiana, That in every city in the State of Indiana having a population of 100,000 or more, according to the last preceding United States census, there shall be, and is hereby, created a teachers' pension fund, which shall be governed and managed by a board of trustees, to be composed of seven members, as follows: Three members of the board of school commissioners of such city, to be selected or appointed annually by such board, the superintendent of public schools, one principal and two teachers regularly employed in the public schools of such city. Said principal and teachers shall be selected at a meeting of the public school teachers of such city on the third Saturday of March, 1907, in such manner and at such place or places as shall be determined and designated by the board of school commissioners of such city; and thereafter there shall be selected on the third Saturday of March of each year one principal and two teachers as members of such board of trustees. The trustees shall hold their offices until their successors shall be selected or elected as above set forth. In the event of a vacancy upon said board occasioned by the death, resignation or disability of either of said principal or teachers, then the public school teachers of said city shall, within a reasonable time, upon the call of the president of said board of trustees, hold a special meeting and elect a successor or successors. A majority of said trustees shall constitute a quorum for the transaction of business pertaining to said pension fund. Said trustees shall receive no pay for their services as such, except the secretary and assistant treasurer, each of whom may be paid such sum for services as may be fixed by the board of trustees: Provided, however, That if anyone shall act as such secretary or assistant treasurer who shall receive any of the benefits of said pension fund, as hereinafter provided, the amount of the salary so received by such secretary or assistant treasurer shall be deducted from the amount to which he or she would otherwise be entitled as a beneficiary under said fund.

"SEC. 2. Said board of trustees shall elect from among its number a president, vice-president and secretary. The president shall preside at the meetings of the board and perform all other duties usual to such office. The vice-president shall perform the duties of the president in his absence. It shall be the duty of the secretary to keep a true and accurate account of the proceedings of such board of trustees and of the teachers of such city, when acting upon matters with relation to said fund, and to turn over to his or her successor all books and papers pertaining to such office. The secretary of the board of school commissioners of such city shall act as assistant treasurer, and it shall be his duty to keep a true and correct statement of the account of each member with said pension fund, to collect and turn over to the treasurer of said

board all moneys belonging to said fund, and to render to the board a monthly account of his doings. He shall furnish bond in such amount as shall be determined and required by said board of trustees, and the board of school commissioners of such city shall allow him such compensation for his services as it may deem proper. The treasurer of such city shall be ex officio the treasurer of said board of trustees, and he shall receive and hold all moneys belonging to such teachers' pension fund; he shall have the custody of all notes, bonds and other securities belonging to said fund, and shall collect the principal and interest of the same and shall be liable on his bond as such city treasurer for the performance of all the duties imposed upon him by this act and for the faithful accounting of all moneys and securities, including both principal and interest, which may come into his hands and which shall belong to such pension fund. And he shall keep a separate account which shall show at all times the true condition of such fund. Said treasurer shall, upon the expiration of his term of office, account to said board for all moneys, notes, bonds and other securities coming into his hands, and for the interest, income, profits, rentals and proceeds of and from the same, and he shall turn over to his successor all moneys, notes, bonds and other securities belonging to said fund. The secretary, treasurer and assistant treasurer shall make a full, true and accurate report of their offices and trusts at each annual meeting of such teachers in March of each year. Their books shall at all times be open to inspection or examination by any member of said board of trustees.

"SEC. 3. Such board of trustees shall have full charge and control of the teachers' pension fund of such city with power to adopt and enforce all needful regulations governing the same, not inconsistent with this act. Said fund shall be derived from the following sources:

"First. All moneys that may be given to said board of trustees or to said fund or to the board of school commissioners of such city, for the use of said board of trustees of teachers' pension fund, by any person or persons. Such board of trustees may take by gift, grant, devise or bequest, any money, choses in action, personal property, real estate, or any interest therein, and any such gift, grant, devise or bequest may be absolute, or upon the condition that only the rent, profits and income arising from the same shall be applied to the uses and purposes of said fund. Such board of trustees shall be authorized to take such gift, grant, devise or bequest under and by the style of the board of trustees of the teachers' pension fund, of such city, and to hold the same, or assign, transfer or sell the same, whenever proper and necessary, under and by such name.

"Second. Every teacher shall be assessed upon his or her salary as follows: One per centum per annum (but not more than $10) upon the salary of every teacher who shall not have taught in excess of fifteen (15) years; and two per centum per annum (but not to exceed $20) upon the salary of every teacher who shall have taught longer than fifteen (15) years; Provided, however, that such assessment shall not be made prior to the first day of September, 1907. And the assistant treasurer of such board of trustees shall prepare a roll of each of said assessments and place opposite the name of every teacher the amount of assessment against him or her, and shall furnish a copy of such roll to the treasurer, and the treasurer of said board shall, in November and April of each school year, deduct and retain out of the salary going to such teacher the amount of such assessment, and shall give him or her credit for the same and place the same to the credit of said teachers' pension fund. Every teacher of such city receiving a salary of four hundred fifty dollars ($450) a year or more shall pay such assessment, and in becoming a teacher he or she shall be conclusively deemed to undertake and agree to pay the same, and to have such assessment deducted from his or her salary as hereinbefore provided.

"Third. The board of school commissioners of such city shall levy each year, in addition to all other taxes authorized by law, a special tax of one cent upon each one hundred dollars of taxable property in the city, which sum shall be collected as other taxes are collected by law, and which shall be credited by the treasurer of such city to the said teachers' pension fund, and shall not be used or devoted to any other than the purposes of said fund. And nothing in this act shall be deemed to take from

said board of school commissioners the powers now given to said board in relation to the levy of taxes under existing statutes.

"SEC. 4. The board of trustees of such teachers' pension fund shall determine what part of said fund may be safely invested, and how much shall be retained for the immediate needs, demands and exigencies of said fund. Such investment shall be made: (1) In interest bearing bonds of the United States, or of the State of Indiana, or in any bond lawfully issued by any state or by any county, township, city or other municipal corporation, either within or without the State of Indiana; (2) loans secured by mortgage upon real estate within the county wherein such city is located, which loans shall not be in excess of fifty per centum of the appraised value of such real estate. All bonds, mortgages and other securities shall be deposited with and remain in the custody of the treasurer of said board, who shall collect all interest due thereon and all the income therefrom, as the same shall become due and payable.

"SEC. 5. The board of trustees of such teachers' pension fund shall establish a sinking fund, to the credit of which shall be put and deposited all gifts, grants, devises and bequests, and the unexpended balance remaining at the expiration of each fiscal year. And such sinking fund shall be and remain a permanent fund, and no part thereof shall be expended except the interest and income thereof and therefrom; provided, however, that one-half of the amount added to such sinking fund during any year may be used, if necessary, during the year immediately following.

"SEC. 6. Said teachers' pension fund shall be used and devoted in the manner and for the purposes following:

"First. The maximum pension to be paid any teacher shall be six hundred dollars ($600) per annum, which amount shall be based upon a service of forty (40) years as such teacher, and every pensioner and beneficiary of said fund shall be entitled to and shall receive such percentage of said sum of $600 as the number of years of teaching of said pensioner and beneficiary shall bear to the term of forty years, subject, however, to all the provisions of this act.

"Second. Any aged, infirm, diseased or disabled teacher, who is now or hereafter may be teaching in the public schools of such city, having served as such teacher for not less than fifteen (15) years, shall be entitled to receive a disability pension; provided said board of trustees shall find that he or she is entitled to the same by reason of such age, disease, infirmity or disability, and after such applicant for a pension shall have been examined by a physician selected for such purpose by said board of trustees, the examination fee or charge of such physician to be paid by the applicant; and provided further, that no such pension shall be paid until any sick pay allowed or provided for by the board of school commissioners of such city shall have ceased.

"Third. Any teacher who is now or hereafter may be teaching in the public schools of such city, and shall have taught for not less than twenty-five (25) years, may be pensioned upon application to said board of trustees, or may be pensioned by such board without such application and shall thereafter receive a pension during the remainder of his or her life, subject, however, to all the conditions contained in this act; provided, that such pensioner shall have paid into said fund, by way of assessment or otherwise, not less than one-third (1-3) of the amount to which he or she shall be entitled per annum as a pensioner. And in order to make up such one-third, the board of trustees may order the treasurer to deduct one-half thereof each of the first two years from the amount of such pension.

"SEC. 7. In computing the years of service as provided in this act, the board of trustees may include services as a public school teacher rendered outside of such city, not, however, in excess of five (5) years, as a portion of such services necessary before any teacher shall be entitled to any of the benefits of this act; provided, however, that such teacher shall pay assessments based upon the first annual salary received by him or her in the schools of such city for the said years of service elsewhere, in addition to the assessments paid by such teacher while in the services of such schools before receiving any retirement pension; and, provided, further, that nothing in this section shall affect the amount or amounts to be paid into such pension fund by school

teachers before being entitled to become a pensioner. And any teacher may be given a leave of absence for study, professional improvement or temporary disability, not exceeding one year at any one time, and shall be regarded as a teacher and entitled to the benefits of this act; provided that during such absence he or she continues to pay into such fund the amount of assessment payable by such teacher the last year preceding such leave of absence.

"SEC. 8. After any teacher shall have been pensioned by reason of injury, disability or disease, the board of trustees shall have the right at any time to cause such teacher again to be brought before such board and examined by its physician, and also to examine other witnesses, for the purpose of ascertaining whether said injury, disability or disease shall still continue and whether such teacher shall remain on the pension roll. Such teacher shall be entitled to notice and to be present at the hearing of any such evidence; shall be permitted to propound any question pertinent or relevant to such matter, and shall also have the right to introduce evidence upon his or her own behalf. Such teacher and all witnesses shall be examined under oath, and any member of such board of trustees is hereby authorized and empowered to administer such oath. The decision of such board of trustees shall be final and conclusive, and no appeal shall be allowed therefrom, nor shall the same be reviewable by any court or other authority; provided, however, that every pensioned teacher shall report to the superintendent of public schools of such city whenever required so to do. And said superintendent may assign such teacher to such service or employment as may be within his or her power to perform, in the judgment of such superintendent of public schools and of the examining physician employed by the said board of trustees. And during the time of such employment such teacher shall receive the regular salary therefor, which shall be credited to and deducted from the amount payable to such teacher from said pension fund. And should any pensioned teacher recover from his or her injury, disease or disability, and again be fit for regular duty, then such teacher may again be regularly employed, and during the time of such employment, he or she shall cease to be entitled to any payment out of said pension fund because of the injury, disease or disability on account of which such teacher was originally retired.

"SEC. 9. Any teacher applying to be pensioned by reason of length of time of service as in this act provided, shall be pensioned and retired without any medical examination, nor need he or she be under any physical disability, and from the time of such pension and retirement such teacher shall not be required to render further services as such teacher, nor shall he or she be deprived of the benefits herein provided, except for any cause contained in section 16 of this act.

"SEC. 10. In computing time under the provisions of this act, such time shall include services rendered before, as well as after, the taking effect of this act.

"SEC. 11. The board of trustees shall have power and authority to make all necessary by-laws providing for the manner of the election of such trustees, to be elected as in this act provided, the counting and canvassing of the votes for the same, their meetings, for the collection of all moneys and other property coming or belonging to said fund, and all other matters connected with the care, preservation and disbursement of the same, and the proper execution of the purposes and provisions of this act. And any pension authorized by the board under this law shall be subject to reduction by said board of trustees whenever in its judgment the condition of the pension fund, the financial or other conditions of the pensioner or any other circumstances render such reduction advisable, proper or necessary, and any pension so reduced may thereafter be restored or increased, as such board may deem best.

"SEC. 12. Any teacher who shall cease to teach in the public schools of such city before receiving any benefit from the fund, shall be entitled to the return of one-half of the amount, without interest, which shall have been paid into said pension fund by such teacher; provided, however, should such teacher thereafter again teach in the public schools of such city, he or she shall refund to said pension fund the amount so returned to such teacher within one year from the date of his or her return to service in the schools. And should any teacher

die before receiving any of the benefits or pensions by this act provided, the board of trustees shall pay to such teacher's heirs or estate, or either or any of them, as it shall see fit, one-half the amount, without interest, which shall have been paid into said pension fund by said teacher.

"SEC. 13. If at any time there should not be sufficient money in or to the credit of said teachers' pension fund to pay all claims against it in full, then and in such event, an equal percentage shall be paid upon all of such claims to the full extent of the funds on hand, until such pension fund shall be sufficient to pay all claims against it in full.

"SEC. 14. All pensions herein provided for shall be paid by the treasurer of the board of school commissioners at his office at the same time and in such installments as the teachers of such city shall be paid; provided, however, that no pension of any kind whatsoever provided for in this act shall be paid prior to October 1, 1908.

"SEC. 15. All pensions granted and payable out of said teachers' pension fund shall be and are exempt from seizure or levy upon attachment, execution, supplemental process, and all other process, whether mesne or final; and such pensions or any payment of the same shall not be subject to sale, assignment or transfer by any beneficiary, and such transfer shall be absolutely void.

"SEC. 16. Whenever any person who shall have received any benefit from said fund shall be convicted of any felony, or of any misdemeanor, for which he or she shall be adjudged to be imprisoned, or shall fail to report for examination for duty as required herein, unless excused by the board of trustees of such city, or shall disobey the requirements of said board of trustees in respect to said examination for duty, or shall fail to perform such duty as may be required of him or her if found able to perform such duty, then such board shall order that the pension allowed and paid to him or her shall cease, until the further order of such board.

"SEC. 17. The term teacher as used in this act shall mean and include any principal, assistant principal, assistant superintendent, supervisor, assistant supervisor, person in charge of any special department of instruction, and any teacher or instructor regularly employed as such by the board of school commissioners of such city.

"SEC. 18. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage."

Chap. 170, Mar. 9, 1907.

877. **Louisiana:** Authorizing the Louisiana State University and Agricultural and Mechanical College to accept the offer of the board of trustees of the Carnegie Foundation to admit state universities to benefits of the retiring allowance system of said foundation.

Act No. 219, July 8, 1908.

877a. **Maryland:** Adding secs. 102A–102S, art. 4, Acts, 1898, relative to the city of Baltimore.

Providing for a retirement fund for public school teachers of Baltimore.

Chap. 78, p. 595, Mar. 12, 1908.

877b. **Maryland:** Repealing, and reenacting, with minor amendments, sec. 58, art. 77, Public General Laws, 1904, relative to teachers' pensions.

Chap. 605, p. 226, April 6, 1908.

878. **Massachusetts:** Relative to the Massachusetts agricultural college.

Authorizing and directing board of trustees to use their best efforts to secure and accept for the college the benefits of the retiring fund of the Carnegie Foundation for the Advancement of Teaching.

Resolves, chap. 138, June 12, 1908.

879*. **Massachusetts:** Authorizing cities and towns to establish pension funds for teachers in the public schools.

"SECTION 1. In any city or town, except the city of Boston, which accepts the provisions of this act a pension fund shall be established for the retirement of teachers in public schools. The fund shall be derived from such revenues as may be devoted to the purpose by the

city council of a city or by direct appropriation by a town. The treasurer of the city or town shall be the custodian of the fund and shall make annual or semi-annual payments therefrom to such persons and of such amounts as shall be certified to him by the school committee.

"SEC. 2. The school committee of any city or town which shall accept the provisions of this act may retire from active service and place upon the pension roll, any teacher of such city or town who is sixty years old or over, or is, in the judgment of said committee, incapacitated for useful service, and who has faithfully served such city or town for twenty-five years. The amount of the annual pension allowed to any person under the provisions of this act shall not exceed one-half of the annual compensation received by such person at the time of such retirement and in no case shall exceed five hundred dollars.

"SEC. 3. Upon the petition of not less than five per cent of the legal voters of any city or town, this act shall be submitted, in case of a city, to the voters of such city at the next city election, and, in case of a town, to the voters of such town at the next annual town meeting, and the vote shall be in answer to the question to be placed upon the ballot: Shall an act passed by the general court in the year nineteen hundred and eight, entitled 'An Act to authorize cities and towns to establish pension funds for teachers in the public schools,' be accepted? And if a majority of the voters voting thereon at such election or meeting shall vote in the affirmative this act shall take effect in such city or town.

"SEC. 4. So much of this act as authorizes its submission to the voters of a city or town shall take effect upon its passage, but it shall not take further effect in any city or town until accepted by the voters thereof as herein provided."

Chap. 498, Apr. 30, 1908.

880. **Massachusetts:** An act to provide for the payment of pensions to teachers in the public day schools of the city of Boston.

"*Be it enacted, etc., as follows:*

"SECTION 1. The school committee of the city of Boston shall forthwith establish a permanent school pension fund for the payment of pensions as hereinafter set forth to the members of the teaching or supervising staff of the public day schools of the said city at a rate not exceeding one hundred and eighty dollars a year.

"SEC. 2. The care and investment of said fund and of any gifts or legacies thereto are hereby vested in a board of three trustees, of whom one shall be the chairman of the board of commissioners of sinking funds of the city of Boston, ex officio, and another shall be chosen by said school committee, and the third shall be chosen by the board of trustees of the Teachers' Retirement Fund in the city of Boston, established under the provisions of chapter two hundred and thirty-seven of the acts of the year nineteen hundred. The said trustees shall serve without compensation. At the first regular meeting of the school committee of the city of Boston, after the adoption of this act, and in each fifth year thereafter, at one of the regular June meetings, or at some subsequent regular meeting of the said committee, it shall elect one member of the said board of trustees who shall hold office for the term of five years beginning with the first day of July in the year of his election. The board of trustees of the said Teachers' Retirement Fund shall elect one of the trustees of the said permanent school pension fund for the term of four years beginning with the first day of July of the current year, and shall, at the expiration of such term and shall in each fifth year thereafter, elect a member of said board of trustees for the term of five years beginning with the first day of July in the year of his election. Every such trustee shall subscribe, in a book kept for that purpose in the office of the city clerk in said city, a statement that he accepts the said office subject to the provisions of this act, and any elected member of said board of trustees whose term of office has expired shall continue to serve as a member of said board until his successor is duly elected and qualified. In case of a vacancy in the elected members of said board of trustees by reason of death, resignation or other cause, the body which elected the person whose place thus becomes vacant shall fill the vacancy by an election for the unexpired term.

"SEC. 3. Said board of trustees shall have charge and control of said permanent school pension fund and of all amounts contributed thereto,

and shall invest and reinvest the same in securities in which the funds of savings banks in the commonwealth of Massachusetts may by law be invested, excepting personal securities, and said trustees may, from time to time, sell such securities and shall invest and reinvest the proceeds thereof, and any and all unappropriated income of said pension fund. The city treasurer of said city shall be the custodian of all securities and money belonging to the said permanent school pension fund and shall be responsible for the safe custody thereof; shall, whenever any of such securities are sold by the said trustees for the purpose of reinvestment, deliver the securities so sold upon receiving the proceeds thereof; shall, on such conditions and at such rates of interest as the trustees may approve, deposit temporarily in national banks doing business in Boston, or in trust companies organized under the laws of this commonwealth and doing a banking business in Boston, any money belonging to said fund which, in the opinion of the said trustees, it is inexpedient for the time being to invest in securities authorized by this act; and shall forthwith invest any money belonging to said pension fund in such securities authorized by this act as the said trustees may direct, and upon such terms as they may specify. The said trustees shall keep a record of their proceedings, and shall annually on the first day of February, or as soon thereafter as may be, make a written report to the school committee of the amount and condition of said fund and of the income thereof for the preceding municipal financial year, as established from time to time by said city. Their records and the securities belonging to said fund shall at all times be subject to the inspection of the school committee. The secretary of the school committee shall be the secretary of the said board of trustees and shall have the custody of all records, documents and papers belonging to them. The expense of such additional clerical assistance as may be needed in the office of said secretary for the purposes of this act shall be paid from the annual appropriations for the expenses hereinafter provided for.

"SEC. 4. In addition to the amount which the school committee is now authorized by law to appropriate for the support of the public schools of the city, and for other purposes, it shall annually appropriate for the purposes contemplated by this act, and in the same manner in which it makes appropriations for other school purposes, the sum of five cents upon each one thousand dollars of the valuation on which the appropriations of the city council of the city are based, and shall from time to time pay to the treasurer of the permanent pension fund such portions of the proceeds of said five cents upon each one thousand dollars of the valuation aforesaid as, in the opinion of the school committee, will not be needed for the purpose of paying pensions to teachers during that year.

"SEC. 5. Section fifty-four of chapter twelve of the Revised Laws is hereby amended by striking out the words 'ten and one half dollars', in the twentieth line, and inserting in place thereof the words:—ten dollars and fifty-five cents,—so as to read as follows:—*Section 54.* The taxes assessed on property exclusive of the state tax, county tax and sums required by law to be raised on account of the city debt shall not in any year exceed twelve dollars in any city on every one thousand dollars of the assessors' valuation of the taxable property therein for the preceding year, said valuation being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment, subject to the following provisions:—If the city council of a city which contains less than one hundred thousand inhabitants according to the last preceding national or state census so determines, the average of the assessors' valuation of the taxable property therein for the preceding three years, said valuation for each year being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment, shall be used to determine said limit of taxation instead of said assessors' valuation of the preceding year. In the city of Boston, and in all cities which contain one hundred thousand inhabitants or more according to the census aforesaid, said average shall be so used. In the city of Boston, said taxes shall not exceed ten dollars and fifty-five cents instead of twelve dollars as aforesaid. Any order or appropriation re-

quiring a larger assessment than is herein limited shall be void. The provisions of this section shall not affect any existing exemption from the operation of the corresponding provisions of earlier laws.

"SEC. 6. The total amount of pensions payable hereunder in any one year shall not exceed the proceeds of the said five cents upon each one thousand dollars of the valuation aforesaid, together with the income accruing during that year from the investment of the permanent pension fund.

"SEC. 7. The school committee of said city, by a majority vote of all of its members, may retire with a pension any member of the teaching or supervising staff of the public day schools of the city of Boston who, in the opinion of said committee, is mentally or physically incapacitated for further efficient service, subject however to the limitations hereinafter set forth. If the person so retired has attained the age of sixty-five years or has been engaged in teaching or supervising in the public day schools for a period aggregating thirty years, twenty of which shall have been in the public day schools of the city of Boston, such person shall be paid a pension at the rate of one hundred and eighty dollars per annum. If a person so retired shall be less than sixty-five years of age and shall have been engaged in teaching or supervising in the public day schools in Boston and elsewhere for a period aggregating less than thirty years, the annual pension paid to such person shall be such percentage of one hundred and eighty dollars as the total number of years of service of such person is of thirty years: *provided, however*, that if the annual pension of such person so determined shall be a larger percentage of one hundred and eighty dollars than the number of years which such person has taught in the public day schools in the city of Boston is of twenty years, then the annual pension paid to such person shall be such percentage of one hundred and eighty dollars as that person's length of service in the public day schools of said city is of twenty years; and *provided, further*, that the pension of any teacher retired under the provisions of this act shall terminate if and when, in the judgment of the school committee, the person's incapacity shall have ceased. In determining the aggregate length of service of any person retired in accordance with the provisions of this act any period of leave of absence under salary shall be considered as equivalent to an equal amount of actual teaching service. The city treasurer of the city shall pay pensions to teachers retired under this act in accordance with monthly payrolls prepared and certified to by the school committee.

"SEC. 8. All acts and parts of acts inconsistent herewith are hereby repealed.

"SEC. 9. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval by the mayor.

"(*The foregoing was laid before the Lieutenant Governor, Acting Governor, on the twenty-ninth day of May, 1908, and after five days it had 'the force of a law', as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)"

Chap. 589, June 3, 1908.

Accepted in November by the Boston city council, with approval by the mayor.

881. **New Jersey**: Amending chap. 103, Laws, 1906, relative to pensioning of school teachers.

Permitting board of education or other body (formerly, board of education) to retire with pension, teachers, principals, or superintendent.

Chap. 121, May 7, 1907.

882. **New Jersey**: Amending secs. 213–224, art. 25, chap. 1, Acts, 1903 (sp. sess.), as amended by chap. 314, Acts, 1906, relating to teachers' retirement fund.

Modifying provisions concerning constitution, membership, and duties of board of trustees. Increasing annual annuity from one-half to six-tenths of average annual salary for five years next preceding, raising maximum annuity from $600 to $650; enumerating the securities in which the fund may be invested. Numerous minor changes.

Chap. 139, May 7, 1907.

883. **New York**: Establishing a retirement fund for pensioning teachers of the public schools in the city of Elmira, and regulating the collection, management, and disbursement thereof.

"SECTION 1. The general care and management of the public school teachers' retirement fund is hereby given to the board of education, who shall, from time to time, establish such rules and regulations for the administraton of said fund as it may deem best, and said board shall make payments from said fund of annuities granted in pursuance of this act when so directed by the board of retirement. The chamberlain of the city of Elmira shall hold and invest all money belonging to said fund in such investments only as are legal for savings banks in the state of New York and by direction of said board of education shall pay out the same, and he shall report in detail to the board of education of the city of Elmira, annually in the month of May, or oftener if required by the board of education, the condition of said fund and the items of receipts and disbursements of the same.

"SEC. 2. The retirement fund shall consist of the following, with interest and income thereof:

"1. All money, pay, compensation or salary, or any income thereof forfeited, deducted, reserved or withheld for any cause from any teacher of the public schools of the city of Elmira, in pursuance of rule established or to be estabished by the board of education of the city of Elmira. The board of education shall certify monthly to the chamberlain the amounts so forfeited, deducted, reserved or withheld during the previous month. Such amounts shall be turned into the said retirement fund.

"2. All money received from donations, legacies, gifts, bequests or otherwise for or on account of said fund.

"3. The sum of two thousand dollars yearly as provided for by the common council of the city of Elmira.

"4. One per centum of the salaries of all teachers of the public schools of the city of Elmira, except that the amount deducted from the salary of any teacher shall not exceed twelve dollars in any one year. The board of education shall after September first, nineteen hundred and seven, deduct from each and every payroll of teachers, said one per centum of each and every amount earned in the period covered by said payroll, except that the amount deducted from any one salary shall not exceed twelve dollars for any one year. The board of education shall certify monthly to the city chamberlain, the amounts so deducted, and said amounts shall be turned into said retirement fund. Each contract made by the board of education with teachers, shall specify that one per centum shall be deducted as provided in this paragraph. Any teacher who shall have been a contributor to the retirement fund and who shall retire from the service, not being in receipt of an annuity shall, if application be made within three months after the date of his or her retirement, receive three-fourths of the total amount paid by him or her into the retirement fund.

"5. All such other methods of increment as may be duly and legally devised for the increase of said fund.

"SEC. 3. The board of retirement shall consist of the president of the board of education, the chairman of the teachers' committee, the chairman of the finance committee, the superintendent of schools and three members of the teaching staff to be chosen by ballot at a meeting of the teachers, called sometime during the month of May of each year by the superintendent of schools. At this meeting any vacancy in the members of the retiring board to be chosen from the teachers, shall be elected by ballot. The three members chosen the first year from the teachers shall determine by lot one member who shall serve for three years, one member who shall serve for two years, and the remaining member shall serve for one year and thereafter one member shall be elected each year.

"SEC. 4. On the recommendation of the board of retirement the board of education shall have power to retire any of the teachers of the public schools of the city of Elmira who, in the discretion of the board of education, is incapacitated for the performance of duty, and who has been engaged in the work of teaching for a period aggregating twenty years, fifteen of which shall have been in the public schools of the city of Elmira. The board of education may retire any teacher who shall

have attained the age of sixty-five years and shall have been engaged in the work of teaching for a period aggregating thirty years. On the recommendation of the board of retirement, the board of education shall retire upon his or her own application any teacher of the public schools of the city of Elmira who has been engaged in the work of teaching for a period aggregating thirty years, fifteen of which shall have been in the public schools of the city of Elmira.

"SEC. 5. Upon such retirement, whether voluntary or otherwise, the person retired shall be entitled to receive an annuity out of the retirement fund of one-half of the average annual salary paid to such person for the five years immediately preceding retirement, but no annuity shall exceed the sum of four hundred dollars. Any person retired after twenty years of service, but with less than thirty years of service, shall receive an annuity which bears the same ratio to the annuity provided for on retirement after thirty years of service as the total number of years of service of said person bears to thirty years. No annuity shall be paid to any teacher who has not paid into the retirement fund at least twenty per centum of his or her annual salary at the time of retirement. Any teacher who teaches in any public school after being retired shall receive no benefit from said fund while so teaching. The annuities provided for by this act shall be payable in monthly installments. If the moneys in the retirement fund be inadequate at any time to fully carry out the provisions hereinabove mentioned, the board of education shall then distribute said moneys pro rata to the persons entitled to participate in said fund, and such distribution shall be in full of all annuities then due.

"SEC. 6. The term 'teacher' shall include:

"1. All persons regularly employed to teach in the public schools of the city of Elmira, except male teachers employed in the high school of Elmira.

"2. Those principals who have served as grade teachers in the public schools of the city of Elmira for at least ten years."

Chap. 86, Mar. 27, 1907. (Sept. 1, 1907.)

884. **New York:** Amending sec. 1092, of charter of Greater New York, as amended by chap. 530, Laws, 1902, as amended by chap. 177, Laws, 1903, as amended by chap. 661, Laws, 1905, relative to the public school teachers' retirement fund.

"SECTION 1. * * * The general care and management of the public school teachers' retirement fund created for the former city of New York by chapter two hundred and ninety-six of the laws of eighteen hundred and ninety-four, and of the public school teachers' retirement fund created for the former city of Brooklyn, by chapter six hundred and fifty-six of the laws of eighteen hundred and ninety-five, is hereby given to the board of education, and the said funds are hereby made parts of the retirement fund of the board of education of the city of New York created by this act. The board of education shall from time to time, establish such rules and regulations for the administration of said fund as it may deem best, which rules and regulations shall preserve all rights inhering in the teachers of the city of New York and the city of Brooklyn as constituted prior to the passage of this act; and said board shall make payments from said fund of annuities granted in pursuance of this act. The comptroller of the city of New York shall hold and invest all money belonging to said fund, and by direction of said board of education shall pay out the same; and he shall report in detail to the board of education of the city of New York, annually, in the month of January, the condition of said fund and the items of the receipts and disbursements on account of the same. The said retirement fund shall consist of the following, with the interest and income thereof: (1) All money, pay, compensation or salary, or any income thereof forfeited, deducted, reserved, or withheld for any cause from any member or members of the teaching or supervising staff of the public day schools of the city of New York or of the normal college and training department of the normal college of the city of New York, or of schools or classes maintained in institutions controlled by the department of public charities or by the department of correction, in pursuance of rules established or to be estab-

lished by the board of education, or by the board of trustees of the normal college of the city of New York, or by the commissioner of public charities, or by the commissioner of correction for schools or classes maintained by such commissioners respectively. The auditor of the board of education, the auditor of the board of trustees of the normal college, the commissioner of public charities, and the commissioner of correction shall certify monthly to the comptroller the amounts so forfeited, deducted, reserved or withheld during the preceding month. Said amounts shall be turned into the said retirement fund. (2) All moneys received from donations, legacies, gifts, bequests, or otherwise for or on account of said fund. (3) Five per centum annually of all excise moneys or license fees belonging to the city of New York, and derived or received by any commissioner of excise or public officer from the granting of licenses or permission to sell strong or spirituous liquors, ale, wine, or beer in the city of New York, under the provisions of any law of this state authorizing the granting of such license or permission. (4) One per centum of the salaries of all members of the teaching and supervising staff of the public day schools of the city of New York, and of the normal college and training department of the normal college of the city of New York, and of schools or classes maintained in institutions controlled by the department of public charities or by the department of correction of the city of New York, except that the amount deducted from the salary of any teacher or principal of the public day schools of the city of New York or of schools or classes maintained in institutions controlled by the department of public charities or by the department of correction of the city of New York, in this manner, shall not exceed thirty dollars in any one year, and the amount deducted from the salary of any supervising official, in this manner, shall not exceed forty dollars in any one year. And the board of education, the board of trustees of the normal college, the commissioner of public charities, and the commissioner of correction shall, after the passage of this act, deduct on each and every payroll of the said teaching and supervising staff said one per centum from each and every amount earnable in the period covered by the said payroll, notwithstanding the minimum salaries provided for by section ten hundred and ninety-one of the charter shall be thereby reduced, and shall certify monthly to the comptroller the amounts so deducted; and said amounts shall be turned into the said retirement fund. All deductions made under the provisions of this clause from the salary of any person who may be dismissed from the service for cause, before said person shall have become eligible for retirement, under the provisions of this act, shall be refunded to said person upon such dismissal. (5) All such other methods of increment as may be duly and legally devised for the increase of said fund. The moneys standing to the credit of the retirement fund on the thirty-first of December, nineteen hundred and four, after subtracting therefrom any amounts forfeited, deducted, reserved or withheld from salaries for absences prior to that date, which may, on excuse of absence, be refunded after that date, all excise moneys of nineteen hundred and four which may have been credited to said fund on or before that date, and all interest for nineteen hundred and four on said fund, which may have been credited to said fund on or before said date, shall be set apart by the comptroller as a permanent fund. The unexpended balances of the income of the teachers' retirement fund for the year nineteen hundred and five, and for all subsequent years shall be added to the said permanent fund. The comptroller shall invest the said permanent fund, and the income thereof may be used for the payment of annuities, but if necessary, in order to carry out the provisions of this act, the board of education may use any portion of the permanent fund in excess of eight hundred thousand dollars in the same manner as the income thereof. The president of the board of education, the chairman of the committee on elementary schools of said board, the chairman of the committee on high schools of said board, the city superintendent of schools, and three members to be selected from the principals, assistants to principals and teachers of the public day schools shall constitute a board of retirement. The three last-named members shall be chosen as follows: On the second Thursday of May in each year the principals, assistants to principals and

teachers in each district shall meet at the call of the district superintendent, which call he shall issue at least one week before said meeting, and at a place within the district designated by him, to select by ballot one of their number as district representative to serve for one year. At the close of said meeting, the presiding officer shall transmit to the secretary of the board of education the name and address of the district representative so chosen. The district representatives shall meet at four o'clock in the afternoon on the third Thursday of May at the hall of the board of education and choose by ballot one of their number to serve on the board of retirement for three years from the first day of the following June. At the first meeting of the district representatives after this law takes effect, they shall choose by ballot three of their number to serve on the board of retirement, and the three so chosen shall by lot fix and determine their terms of office as one, two, and three years respectively. Should a vacancy occur among the members of the board of retirement so chosen, the district representatives shall meet and choose by ballot one of their number to serve on the board of retirement for the unexpired term. On the recommendation of the board of retirement, said board of education shall have power, by a two-thirds vote of all its members, to retire any member of the teaching or supervising staff of the public day schools of the city of New York, or of schools or classes maintained in institutions controlled by the department of public charities or by the department of correction who is mentally or physically incapacitated for the performance of duty, and who has been engaged in the work of teaching or of school or college supervision, or of examination of teachers for licenses, or any two or more of the several kinds of work, for a period aggregating twenty years, fifteen of which shall have been in the public day schools in the city of New York, or in schools or classes maintained in institutions controlled by the department of public charities or by the department of correction. And the board of education may retire from active service any member of the said teaching or supervising staff who shall have attained the age of sixty-five years and shall have been engaged in the work of teaching or school supervision for a period aggregating thirty years. On the recommendation of the board of retirement, the board of education shall have power, by a two-thirds vote of all its members, to retire upon his or her own application any member of the teaching or supervising staff of the public day schools of the city of New York, or of schools or classes maintained in institutions controlled by the department of public charities or by the department of correction who has been engaged in the work of teaching or of school or college supervision, or of examination of teachers for licenses, or any two or more of these several kinds of work, for a period aggregating thirty years, fifteen of which shall have been in any of the said institutions. The said board of education shall also have power, by a two-thirds vote of all its members, and after recommendation to that effect shall have been made by the board of trustees of the normal college stating that the member of the supervising or teaching force is mentally or physically incapacitated for the performance of duty, to retire any member of the teaching or supervising force of the normal college or of the training department of the normal college who shall have been engaged in said normal college or training department or elsewhere in the public school system of the city of New York for ten years and shall have been engaged in the work of teaching or of school or college supervision or of examination of teachers for licenses, or any two or more of said several kinds of work, during a period aggregating twenty years. The said board of education, upon the recommendation of the trustees of the normal college, may also, in its discretion retire any member of the teaching or supervising force upon his or her own application who shall have been engaged in the work of teaching or school or college supervision or examination of teachers for licenses, or any two or more such occupations, for a period aggregating thirty years. Upon such retirement, whether voluntary or otherwise, the person retired shall be entitled to receive an annuity out of the teachers' retirement fund of not less than one-half of the annual salary paid to such person at the period of retirement, and in case of the president or of a professor to such an additional sum per annum as will increase such one-half of the salary previously paid if not an even multiple of one thousand dollars to an even multiple of one thousand dollars. Any person retired under the provisions of this

act after thirty years of service, except as hereinbefore in this section provided in the case of the president or of a professor of the normal college, shall receive as an annuity one-half the annual salary paid to said person at the date of said retirement, not to exceed, however, in the case of a teacher or principal, the sum of fifteen hundred dollars per annum, and in the case of a supervising official, two thousand dollars per annum. And in no case shall the annuity of any person already retired or hereafter to be retired after thirty years of service, be less than six hundred dollars. Any person retired after twenty years of service, but with less than thirty years of service, shall receive an annuity which bears the same ratio to the annuity provided for on retirement after thirty years of service as the total number of years of service of said person bears to thirty years. The annuities provided for by this act shall be payable in monthly installments. All retirements made under the provisions of this act shall take effect either on the first day of February or on the first day of September. The number of persons retired in any one year shall be so limited that the entire amount of the annuities to be paid for that year shall not be in excess of the estimated amount of the retirement fund applicable to the payment of annuities for that year. The words 'teaching and supervising staff of the public day schools of the city of New York' as used in this section, shall include the city superintendent of schools, the associate city superintendents, the district superintendents, the members of the board of examiners, directors and assistant directors of special branches, the supervisor and assistant supervisor of lectures, all principals, vice-principals, assistants to principals, heads of departments, and all regular and special teachers of the public day schools of the city of New York. Nothing in this act shall be construed as prohibiting the reappointment to active service, on his or her own application, of any person who has been retired under the provisions of this act. Upon the reappointment of such person the payment of the annuity of said person shall be discontinued. Teachers hereafter appointed in schools or classes maintained in the institutions controlled by the department of public charities or by the department of correction, shall be appointed by the commissioner of the appropriate department upon the nomination of the city superintendent of schools and shall be licensed by the board of examiners of the board of education. The department of education through such representatives as it may designate shall maintain an effective visitation and inspection of all such schools and classes."

Chap. 167, Apr. 18, 1907.

885. **New York:** Establishing a retirement fund for the pensioning retired school teachers, superintendents, supervisors, and heads of high school departments of the public schools of the city of Schenectady, and regulating the collection, management, and disbursement thereof.

Chap. 306, May 6, 1907.

886. **New York:** Establishing a retirement fund for teachers, principals, and supervisors of the public schools in the city of Albany, and regulating the collection, management, and disbursement thereof.

Chap. 414, June 4, 1907.

887. **New York:** Establishing a retirement fund for pensioning retired school teachers, superintendents, supervisors, and heads of high school departments of the public school system of Schenectady.

Chap. 116, Apr. 13, 1908.

888. **New York:** Establishing a retirement fund for pensioning teachers, supervisors, superintendents, etc., in the school system of Watervliet.

Chap. 140, Apr. 16, 1908.

D 889. **Ohio** (1906): One whose name was on the teachers' roll of a city school district for twelve years, but who was not actually engaged in teaching therein during all of such period, a substitute having taken his place at one time, will not be entitled to a pension under the act of 1900 (94

Ohio Laws, p. 305), providing for a teachers' pension fund for those who have taught for twenty years, and for twelve years in such district.—Venable *v.* Schafer, 28 Ohio Cir. Ct. R., 202.

D 890. **Ohio** (1906): Equity will endeavor to restore everybody who has acted under favor of the provisions of an unconstitutional act of the legislature, to his rights and their former statu quo; hence, the teachers' pension fund law of 1900 having been declared unconstitutional, one who had paid assessments under its provisions can recover the same, with interest, although he has no redress in the way of enforcing the provisions of such act.—Venable *v.* Schafer, 28 Ohio Cir. Ct. R., 202.

D 891. **Ohio** (1906): In construing a statute a word should not be given a limited or specialized meaning unless such meaning is made by legislative enactment; hence, in the act of 1900 (94 Ohio Laws, p. 305), relative to the teachers' pension fund, the word "teacher," not being specifically restricted in its meaning, will comprehend within its purview such instructors as shall have spent a part of the time required in teaching in schools not supported in whole or in part by public taxation.—Venable *v.* Schafer, 28 Ohio Cir. Ct. R., 202.

892. **Pennsylvania**: Empowering boards of school directors, boards of school controllers, and central boards of education, in school districts of the second and third class, to establish and administer a teachers' retirement fund.

"SECTION 1. *Be it enacted, etc.*, That the Boards of School Directors, Boards of School Controllers, and Central Boards of Education, in school districts of the second and third class, are hereby authorized and empowered to establish and administer a teacher's retirement fund. The said fund shall consist of all funds available for like purposes at the time of the enactment of this law, together with such additions thereto as the Boards of School Directors, Boards of School Controllers, or Central Boards of Education may, from time to time, prescribe, and such moneys as may be donated or bequeathed for such purposes.

"SEC. 2. Any teacher, principal, or supervising official, retiring with the consent of the Boards of School Directors, Boards of School Controllers, or Central Boards of Education, shall receive from the said fund such annuity as the Boards of School Directors, Boards of School Controllers, or Central Boards of Education may prescribe."

Act No. 169, May 23, 1907.

893*. **Rhode Island**: Providing for the pensioning of school teachers.

"SECTION 1. Any person of either sex who on the passage of this act or thereafter shall have reached the age of sixty years, and who for thirty-five years shall have been engaged in teaching as his principal occupation and have been regularly employed as a teacher in the public schools or in such other schools within this state as are supported wholly or in part by state appropriation and are entirely managed and controlled by the state, twenty-five years of which employment, including the fifteen years immediately preceding retirement, shall have been in this state, may at the expiration of a school year, unless his private contract with his employer shall otherwise provide, be retired by his employer or voluntarily retire from active service, and on his formal application shall receive from the state for the remainder of his life an annual pension equal to one-half of his average contractual salary during the last five years before retiring, but in no case shall such annual pension be more than five hundred dollars: *Provided, however*, that no such employment as teacher within this state after this act shall be included within its provisions, unless the teacher shall hold a certificate of qualification issued by or under the authority of the state board of education.

"SEC. 2. The state board of education shall make all needful regulations for issuing certificates of qualification and carrying into effect the other provisions of this act not inconsistent with the act itself, and shall examine into and determine the eligibility of each and every applicant to receive a pension under the provisions of this act.

"SEC. 3. For the purpose of carrying this act into effect the sum of ten thousand dollars or so much thereof as may be necessary is hereby appropriated out of any money in the treasury not otherwise appropriated,

and the state auditor is hereby directed to draw his orders on the general treasurer in favor of such persons and for such sums as shall be certified to him by the state board of education, according to the provisions of this act.

"SEC. 4. This act shall take effect on the first day of January, 1908."

Chap. 1468, Apr. 23, 1907. (Jan. 1, 1908.)

894. **South Carolina:** Amending secs. 1 and 5, act No. 544, Acts, 1898, relative to the creation and disbursement of a public school teachers' retirement fund in the city of Charleston.

Providing for a reservation of 8 per cent of the gross income of the special school fund paid on the 1 mill tax on and after January 1, 1907. Providing for use of surplus fund.

Act No. 335, p. 745, Feb. 7, 1907.

895. **Utah:** Providing for the retirement of public school teachers.

"SECTION 1. That upon the written request of a majority of the teachers in any city of the first or second class, or of any county, exclusive of cities of the first and second class, the Board of Education or the County Superintendent shall authorize the organization of a Public School Teachers' Retirement Commission.

"SEC. 2. Said commission shall be composed of seven members, viz: (*a*) Three members selected by the petitioning teachers or by the members of the Retirement Association after organization is perfected; (*b*) The Superintendent of the city or county, and the (*c*) Clerk of the Board of Education, if in a city, or the (*c*) County Clerk in county organizations, and (*d*) two members selected by the Board of Education from their members in districts of the first or second class, or (*d*) two members appointed by the county superintendent from boards of trustees within the county.

"The elective and appointive members of the Retirement Commission chosen by the Board of Education or appointed by the Superintendent shall serve for two years, except in organizing, when one shall be chosen or appointed for one year and one for two years, dating the term of office from the first Monday of the preceding February; and the members chosen by the petitioning teachers or the members of the Retirement Association shall be chosen for a term of three years, except in organizing, when one shall be chosen for one year, one for two years, and one for three years, the term of office dating from the first Monday of the preceding February, except when first organized, which may occur at any time during the year; the elective members shall be chosen between the first and twentieth days of January and shall take office on the First Monday of the succeeding February.

"SEC. 3. The members of the Retirement Commission who are chosen from the teaching body shall be elected at a meeting called by the Superintendent of the district or of the county, who shall cause each teacher serving within said district or county to be notified in writing of the time and place of such an election.

"SEC. 4. The officers of the Retirement Commission shall qualify by taking and subscribing the oath of office and filing the same with the county clerk. In cases of a vacancy in the elective membership of the said commission the vacancy shall be filled for the unexpired term by the commission choosing a member from the body that elected the outgoing member.

"SEC. 5. The Retirement Commission shall organize by election from their number a President and Secretary, who shall serve for one year and until their successors are chosen and qualified. The Commissioners shall serve without compensation, except the Secretary, who may, in the discretion of the Retirement Commissioners, receive not to exceed fifty dollars per annum for his services.

"SEC. 6. The Treasurer of the Board of Education in cities of the first and second class or of the county shall be the ex-officio treasurer of the funds of the Retirement Association, and his official bond as fixed by the Board of Education or County shall cover the moneys in said fund.

"SEC. 7. The funds of the Retirement Association shall be of two classes: (a) Permanent and (b) Current Fund. The treasurer shall

pay out money on warrants signed by the president and secretary of the commission. He shall have charge, under the direction of the commissioners, of the investment and management of the Permanent Fund, but the Permanent Fund shall be invested only in State, County, school district or municipal improvement securities within the State of Utah.

"SEC. 8. The Retirement Commission shall keep a record of all the proceedings and a record of all money received and paid out, all of which records shall be open for public inspection. It shall also make such reports from time to time to the state superintendent of public instruction or board of education or board of trustees as may be required.

"SEC. 9. When a board of Retirement Commissioners has been duly organized in any district or county, the superintendent of schools who has charge of said district or county shall cause each teacher within said district or county to be notified of the fact, and he or she shall, within thirty days, thereafter, reply in writing, accepting or declining membership in said Retirement Association. In case a teacher declines to become a member, he or she may only become a member thereafter by a two-thirds vote of all the commission and payment of all back dues, dating from the organization of said Retirement Association. All new teachers accepting employment under the board of education or trustees in any county subsequent to the organization of a Retirement Association within the district or county may contract and agree to the provisions governing membership in said association.

"SEC. 10. The income of the Public School Teachers' Retirement Association shall be from the following sources:

"(*a*) All teachers in the employ of the Board of Education or Boards of Trustees at the time of the organization of said Retirement Association and who have become members thereof, and all new teachers entering the employment of the Board of Education or Board of Trustees, shall have deducted from each and every payroll in payment for services one per cent of the face of said payroll, and the amount of said deduction shall be certified by the Clerk of the Board of Education or Board of Trustees monthly to the treasurer of the Association.

"(*b*) All amounts deducted from teachers' salaries on account of absence through sickness not to exceed five days in any one year for a teacher: *Provided*, that by a special resolution the Board of Education or Board of Trustees may, on account of a shortage of funds, withhold the payment of said deductions out for a period not to exceed one year at a time. All deductions belonging to this fund shall be certified to monthly by the Board of Education or Board of Trustees to the treasurer of the Association.

"(*c*) All moneys received from donations, legacies, gifts, bequests, or otherwise for or on account of said fund.

"SEC. 11. The first two sources of income, viz, '*a*' and '*b*' shall constitute the Current Fund, and the third source viz: '*c*' shall constitute the Permanent Fund, unless specifically stipulated for the Current Fund in the donation, legacy, gift or bequest. No portion of the Permanent Fund shall be available for current expenditure, but the interest thereon shall become a part of the Current Fund.

"SEC. 12. There shall be two classes of beneficiaries under the Retirement Fund, viz, Class 'A' and Class 'B.'

"Class A. On the recommendation of the Retirement Commission, the Board of Education or Board of Trustees shall have power by two-thirds vote to retire any member of the Association who is mentally or physically incapacitated for the performance of duty: *Provided*, said teacher has taught in the district or county in which said district is located for at least five years, and whose term of service shall aggregate thirty years, whether before or after or partly before or after, the passage of this act. Each teacher so retired shall be entitled to receive as pension an annual salary equal to one half of the average annual salary drawn by said teachers for the five years preceding retirement, but in case his or her years of teaching shall not aggregate thirty years, he or she may be temporarily retired and shall be entitled to as many thirtieths of the half-salary as his or her years of service are a part of thirty. Any teacher who has been retired under this class and who recovers his or her mental or physical powers sufficiently to teach or earn a livelihood in some other manner, in the opinion of the Medical Inspector of the Board of Education, or

Board of Trustees, or of a physician selected by the Retirement Commissioners in case there is no Medical Inspector designated, shall cease to draw an annuity under this classification.

"Class B. Any member of the Retirement Association who has taught thirty years, one-third of which time has been in the district or county in which said district is located and who has reached the age of sixty years, shall, upon his or her request, or upon the recommendation of the Retirement Commissioners and a two-thirds vote of the Board of Education or Board of Trustees, without option, be placed upon the retired list, and shall be entitled to annual salary equal to one-half of the average annual salary of the five years preceding retirement.

"SEC. 13. Provided that any teacher who is retired under the provisions of either class 'A' or 'B,' and who at the time of retirement has not paid into the Retirement Fund a sum equal to one per cent of the entire salary received for the previous years of service claimed, shall have such an amount deducted from his or her annuity as shall equal the amount still due. This deduction may, in the discretion of the Retirement Commissioners, be distributed over a period not to exceed three years. Any teacher may, at the time of becoming a member of the association, be credited in full for all back payment covering previous years of service claimed by paying one-half of one per cent of all salaries earned during time of service claimed. Any teacher who is a member of a Retirement Association in the State of Utah and who accepts employment in a district or county outside of the bounds of his or her association shall, within thirty days thereafter, select which of two ways he or she prefers to continue his or her membership.

"1. A transfer of membership, or

"2. An absent membership.

"If the first mentioned is selected the secretary of the commission shall fill out on a paper form a report covering the necessary data concerning said teacher, which report, with the one-half of the amount of the money paid into the fund by or on account of said teacher as hereinafter provided, shall be accepted by any commission in the State as a complete record and payment of back dues of such teacher.

"If the second method is chosen a teacher may continue his or her membership by voluntarily sending annually to the secretary of the association the one per cent of his or her salary as certified to by the clerk of the board where he or she is employed.

"SEC. 14. Any teacher dismissed from the service of the Board of Education or Board of Trustees for cause shall be entitled to a refund of all money, without interest, paid into the retirement fund by said teacher.

"Any teacher voluntarily withdrawing from the services of the Board of Education or Board of Trustees shall be entitled to a refund of one-half the amount paid into said fund by said teacher, *provided*, he or she makes application in writing within three months for the refund.

"SEC. 15. In case of the death of a member of the Retirement Association the estate of said teacher shall be entitled to a refund of the total amount paid into said fund by said teacher.

"SEC. 16. If at any time the funds of the Retirement Association are not sufficient to meet the annuities and refunds hereinbefore specified, each annuitant and claimant shall be paid pro rata his or her proportion of the funds that are available.

"SEC. 17. The term "teacher" as used throughout this bill shall include superintendent, supervisors, principals, and teachers.

"SEC. 18. The Retirement Commission is empowered to adopt such additional rules and by-laws for the carrying out of the provisions of this bill as are in harmony with its intents and purposes."

Chap 111, Mar. 14, 1907.

896. **Virginia:** Providing a retirement fund for public school teachers.

"1. Be it enacted by the general assembly of Virginia, That whenever any person, not including superintendents, has taught in the public schools of this State an aggregate of twenty years, if said person has maintained a good record and by reason of physical or mental infirmity or old age is incapable of rendering efficient service as a teacher, or if said person has taught for twenty-five years in this State, and desires

to be retired, as herein provided, he or she may make application to the State board of education to be retired and pensioned as hereinafter provided. If the state board of education shall find the facts as above stated it shall place the name of the said person upon a list to be known as 'the retired teachers' list,' and the said board may, of its own motion, place any teacher on said list who has served for twenty years if said board shall deem it best for the good of the school system to take such action. A careful record shall be kept by the said board of the names of the teachers retired and pensioned under the provisions of this act, and every person so placed upon said list shall receive a pension as hereinafter provided.

"2. The fund; whence derived.—In order to provide a fund to pension said retired teachers all contracts with teachers shall provide that the chairman and clerk of the school board or other officers whose duty it is to pay public school teachers, shall deduct monthly from the salary of each teacher in the State a sum equal to one per cent. of his or her salary. Each teacher shall be furnished a statement showing the amount so deducted. The sum so deducted shall be promptly remitted by the officers deducting the same, through the office of the second auditor of Virginia, to the State board of education which shall immediately deposit the same with the State treasurer. All amounts so received shall be placed by the State treasurer to the credit of a fund to be called 'the retired teachers fund,' and an accurate account shall be kept of all funds so received.

"3. Appropriation.—The sum of five thousand dollars per annum, or so much thereof as may be necessary to carry out the purposes of this act, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to carry into effect the provisions of this act. The said sum shall be turned over to the State board of education and deposited as aforesaid with the State treasurer to be placed to the credit of the fund created by section two of this act.

"4. Legacies, bequests, et cetera.—All legacies, bequests, and funds derived from devises for the benefit of teachers under this act shall be paid over to the State board of education and shall be by it transferred as aforesaid to the treasurer of Virginia, to be placed to the credit of the fund provided for in section two of this act.

"5. The State board of education shall be permitted to invest the capital and unappropriated income of said 'retired teachers' fund,' as provided in the eleventh subdivision of section fourteen hundred and thirty-three of the Code with all the powers of investment or reinvestment granted by said section, and all securities belonging to said fund shall be deposited with the second auditor for safekeeping, who shall return with his annual report a list thereof with a statement of their value.

"6. What pensions to be paid.—The State board of education shall quarterly, on the first day of January, April, July, and October in each year issue its warrant on said fund signed by the president and secretary of said board as follows: A warrant shall be issued to the second auditor of Virginia for the benefit of each person whose name has been placed on said list for the quarter immediately preceding the time of payment for a sum equal to one-eighth of the annual salary earned by such person at the time he or she was placed on such list. And the second auditor shall issue his warrants to said persons accordingly. In no event, however, shall any quarterly pension exceed the sum of one hundred dollars, except that principals of schools may receive as a quarterly pension as much as one hundred and twenty-five dollars. In the event that the available funds shall, in the judgment of the State board of education upon a prudent and equitable appropriation of the same for any quarter, be insufficient to pay all pensions due for the quarter to the full amount thereof, then the same shall be paid pro rata, according to the amount of money that is available as aforesaid.

"7. The State board of education shall see that proper arrangements are made for keeping an accurate account of all moneys received, invested or disbursed under this act, and the superintendent of public instruction shall include a full statement of all the transactions of said fund in his annual or his biennial report. The State board of education shall require proper and sufficient bonds from the person, or persons,

charged with the management or custody of said funds, except in the cases of the State treasurer and second auditor, whose official bonds shall cover the said funds, for the proper application of which they and the sureties on their official bonds shall be liable."

Chap. 313, Mar. 14, 1908.

897. **Wisconsin**: Creating sec. 925—xx, Statutes, 1898, providing for a public school teachers' retirement fund in cities of the first class (Milwaukee).

"SECTION 925—XX. 1. Two female teachers, two male teachers and four members of the board of school directors, in cities of the first class shall constitute in their respective cities, a board of trustees for the purpose herein set forth. The teachers who shall elect to come under the provisions of this act shall hold their first annual meeting on the first Saturday of October, 1907, and shall elect by ballot one female teacher who shall hold office for a term of one year, one female teacher who shall hold office for a term of two years, one male teacher who shall hold office for a term of one year, and one male teacher who shall hold office for a term of two years; and a majority of all the votes cast shall be necessary in each case for an election. Such meeting shall be called by the secretary of the school board by giving due notice to all such teachers of the hour and place where the meeting shall be held. Annually, thereafter, at a meeting duly called by the board of trustees on the first Saturday of October, one female teacher and one male teacher shall be elected in the same manner for a term of two years. The boards of school directors of cities of the first class shall, at their regular meeting in October, 1907, elect two of their number to be members of the board of trustees for a term of one year, and two of their number to be members of the board of trustees for a term of two years; and annually thereafter, at their regular October meetings, the boards of school directors shall elect one of their number to be a member of the board of trustees for a term of two years. The board of trustees shall organize within ten days after the regular October meeting of the board of school directors by the election from their members of a president and a secretary, and may adopt rules of order not inconsistent with this act. In case of vacancy, the board of trustees shall, within ten days after its occurrence, fill the same for the unexpired term.

"2. A teachers' retirement fund is hereby created in cities of the first class, and the fund shall consist of: A permanent and a general fund.

"The permanent fund shall be made up of gifts and legacies specifically given to said permanent fund, and the sums set apart by the board of trustees.

"The general fund shall be made up of:

"(a) Gifts and legacies not specifically given to said permanent fund.

"(b) All amounts retained from salaries of teachers under the provision of this act, and the interest derived from said permanent fund.

"(c) The board of school directors in cities of the first class may pay out of the school fund into the teachers' retirement fund a sum not to exceed one per cent. of the gross receipts raised by taxation for school purposes.

"(d) All moneys obtained by such other methods of increment as may be duly and legally devised for the increase of said fund.

"The general fund may be drawn upon for the purpose of this act by said board of trustees.

"3. Said board shall have control of the retirement fund, investing the same only in such securities as savings banks are authorized by law to invest in. The board shall receive and consider all applications for annuities under this act, and when in their opinion the best interests of the school are served by the retirement of the applicants, shall determine and direct payment of the annuities. The board shall keep full and complete records of the receipts and disbursements of this fund and a complete list of all annuitants, and shall make a report of the same at each annual meeting of the teachers in October. All necessary expenses incurred by the board in carrying out the provisions of this act shall be paid out of the retirement fund, in accordance with the votes of the board. The members of the board shall serve without compensation. Whenever any member of the board shall cease to hold a position as member of the

board of school directors, or as teacher in the public schools, his or her membership in the board shall thereupon cease.

"4. The city treasurer shall be the custodian of the retirement fund, and shall make payments therefrom as ordered by the board of trustees.

"5. Beginning with the monthly payments in November, 1907, the board of school directors shall reserve from the salary of each teacher who has come under the provisions of this act the sum of four dollars ($4.00), and from every monthly payment thereafter for a period of twenty-five years, shall reserve the sum of two dollars ($2.00), and shall pay the sums so reserved into the school teachers' retirement fund, as herein provided.

"6. The city treasurer upon the order of the board of trustees, shall pay out of said retirement fund, in monthly payments, such an annuity to any teacher who shall retire from the service of the city, as the fund will allow, and said board of trustees shall determine; but in no case shall a teacher receive such annuity unless such teacher has taught for twenty-five years, and for at least fifteen years in the public schools of the city or cities to which this act applies, except as hereinafter provided.

"7. All annuities granted by the board of trustees under the provisions of section six shall be uniform in amount except as provided in section eight of this act.

"8. No annuity shall be paid to any teacher until such teacher shall have contributed to the general fund a sum equal to all the assessments for twenty-five years, to-wit; five hundred dollars. Should any teacher retire under section six and be unable to pay the full amount of assessments as above specified, the board of trustees shall pay to such retiring teacher an annuity directly proportionate to the amount of money paid by such retiring teacher into the public school teachers' retirement fund.

"9. Any teacher who shall have been a contributing member, who shall retire from the service, not being in receipt of an annuity, shall, if an application is made within three months after date of his retirement, receive one-half of the total amount paid by him into the retirement fund.

"10. All annuities granted under the provisions of this act shall be exempt from attachments and garnishment process, and no annuitant shall have the right to transfer or assign his or her annuity, either by way of mortgage or otherwise.

"11. All elections or appointments of teachers by the board of school directors shall be subject to the provisions of this act, and all such elections and appointments shall be on probation; but on a successful probation of four years the election or appointment shall become permanent during efficiency and good behavior. No teacher who is a contributor of said fund, and whose position has become permanent by virtue of successful probation, shall be removed or discharged by the board of education except for cause upon written charges. The teacher shall receive a copy of such written charges at least three days before the hearing thereof.

"12. This act shall be binding on all teachers employed in cities of the first class at the time of its enactment, who shall thereafter elect to come under its provisions. Notice in writing to the superintendent of schools shall constitute such election. All teachers not employed in cities of the first class at the time of the enactment of this law, who may be elected or appointed subsequent thereto, shall be bound by the provisions of this act, when their respective appointments shall have become permanent as herein provided.

"13. The term 'teacher' in this act shall include all superintendents, principals, and regular instructors employed in the public schools of cities of the first class, provided, however, that the election or appointment of the superintendent, the assistant superintendents, and special supervisors shall not be affected by paragraph eleven of this act."

Chap. 453, June 25, 1907.

G. TEACHERS: PROFESSIONAL TRAINING AND EDUCATION.

(a) University Departments and Schools of Education.

For the biennium 1904–1906 legislation indicated a growing interest in those institutions and activities established for the higher educational instruction and training of teachers. The record for the present biennium displays little of a positive or constructive character. Kentucky (898) and North Dakota (898a) each organized the department of education of the state university upon a collegiate basis. Tennessee (898b) passed a necessary amendment to the act of 1905, providing for the establishment of the George Peabody College for Teachers.

898. **Kentucky:** *See enactment No. 1397.*

898a. **North Dakota:** *See enactment No. 1400.*

898b. **Tennessee:** Repealing chap. 211, Acts, 1905, relative to establishment of a college for the higher education of teachers and enacting a substitute.

Appropriating $250,000 (formerly $25,000 annually for ten years) for the establishment, support, maintenance, and use of the George Peabody College for Teachers, an institution for the higher education of teachers for the Southern States, the successor of the Peabody Normal College. This appropriation one of the conditions of the endowment of $1,000,000 to be provided by the trustees of the Peabody Education Fund.

Chap. 19, Jan. 29, 1907.

(b) State Normal Schools.

The legislation with reference to the establishment of state normal schools in the Southern States comprises the most important part of such legislation during the two years covered. The enactments in Alabama (899–902), Kentucky (909), North Carolina (912, 913), and Virginia (919) are the chief ones of these. The establishment of a state normal school in Arkansas (903) marks a new epoch in the educational history of that State. The organization of a single board of regents for the normal schools of Oregon (917) and the institution of an investigation of the normal schools of Vermont (918) are worthy of special note. Wisconsin (921) continued her legislation of 1905 with reference to the new normal school at La Crosse by making a large appropriation for the erection of a building.

899. **Alabama:** Amending sec. 2 of an act establishing a state normal school for the education of white female teachers and students at Livingston.

Relating to appointments, composition, duties, etc., of board of trustees.

Act No. 95, p. 167, Feb. 23, 1907.

900. **Alabama:** Amending sec. 3602, Code, 1896, as amended by act No. 187, p. 233, Laws, 1903, relative to apportionment of school fund.

Increasing appropriations for designated normal schools from $10,000 to $15,000.

Act. No. 120, p. 187, Feb. 28, 1907. (Sec. 1761, Code, 1907.)

901. **Alabama:** Establishing a normal school for the education of white male and female teachers at Daphne.

Providing for appointment and constitution of board of six trustees, and prescribing duties. Prescribing conditions of admission of students. Making annual appropriation of $2,500. Baldwin County to furnish building and grounds.

Act No. 264, p. 327, Mar. 4, 1907.

902. **Alabama:** Establishing normal school for education of white male and female teachers at Moundville.

Providing for constitution, powers, and duties of board of trustees; admission of students; annual state appropriation, $2,500. Local community to provide building and grounds.

Act No. 720, p. 656, Aug. 13, 1907.

903*. **Arkansas:** Providing for the establishment and maintenance of a state normal school.

Creating the Arkansas State Normal School; providing for a state normal school board; fixing the term of office of appointed members; making state superintendent of public instruction chairman of board; defining powers and duties of board; providing for free scholarships in each county; making tuition free to citizens of the State only and fixing certain fees; authorizing board to issue diplomas having the value of a professional license good for six years; requiring board to report biennially to the legislature; appropriating $15,000. Board to receive propositions and to decide upon location of school. Offers of location to include at least twenty acres of land for a site and $15,000 for buildings.

Act No. 317, May 14, 1907.

904. **California:** Authorizing transfer of moneys from the salary fund of the state normal school at San Francisco to the printing fund of said school.

Transferred funds to be available during 1907 and 1909 for the purpose of replacing such pamphlets and other materials, destroyed by the fire of April, 1906, as were prepared and used by the faculty of said school in the training of teachers.

Chap. 366, Mar. 19, 1907.

905. **Connecticut:** Providing for the erection of a building for the state normal school at Willimantic and making an appropriation therefor.

Building for model and practice school; cost, $50,000. Town of Windham to provide site and one-third of cost.

Special acts No. 500, Aug. 1, 1907.

D 906. **Florida** (1905): Laws, 1905, chap. 5384, in expressly providing for a colored normal school and also for a normal department to the University of the State of Florida, and conferring on the state board of education and state board of control, acting jointly, authority to establish and maintain a normal department for the instruction of white female teachers in the Florida Female College at any time it may be deemed necessary, sufficiently complies with Const., art. 12, sec. 14, relating to such normal schools.—State *v.* Bryan, 39 So., 929.

907. **Georgia:** *See enactment No. 1396.*

908. **Illinois:** *See enactment No. 1157.*

909*. **Kentucky:** Repealing, and reenacting with amendments, secs. 1, 14, 20, and 26, chap. 102, Laws, 1906, relative to the establishment of a system of state normal schools, etc., and adding two new sections.

Fixing the boundaries of the eastern and western normal school districts. Defining grades of teachers' certificates to be granted. Requiring the president of each normal school to make annual report (formerly the president of the board of regents). Making county, instead of legislative district, the unit of choosing pupils for gratuitous instruction, and modifying the conditions of such.

Granting to boards of normal schools power to lease and purchase real estate or acquire the same by condemnation. Authorizing the examination of normal-school students for teachers' certificates in counties in which normal school is located, and providing for the transmission of examination papers and the granting of certificates in another county.

Chap. 62, Mar. 24, 1908.

909a. **Maryland**: Adding secs. 189 and 190 to art. 77, Public General Laws, 1904, relative to a normal school for colored teachers.

Accepting for the state buildings, equipment, etc., of the Baltimore normal school. Appropriating annually $5,000 for support.

Chap. 599, p. 230, Apr. 8, 1908.

910. **Massachusetts**: Providing for agricultural education in the state normal school at North Adams.

Conditioned upon contribution of suitable land by city for free use for ten years. Appropriating $2,500.

Chap. 257, Mar. 23, 1908.

911. **Nebraska**: Repealing, and reenacting with amendments, sec. 11186, Cobbey's Annotated Statutes, 1903, relative to admission of pupils to state normal schools.

Pupils must possess at least a two years' high-school education or its equivalent. Exceptions as to junior normals and the summer sessions of the normal schools.

Chap. 127, Apr. 5, 1907.

912. **North Carolina**: *See enactment No. 148.*

913. **North Carolina**: Amending secs. 4182 and 4186, Revisal, 1905, relative to state normal schools for the colored race.

Increasing number of directors from five to six, and prescribing terms of office, conditions of vacancy, and organization. Providing for superintendent of colored normal schools, fixing his salary and defining his duties. Making special annual appropriation of $10,000 for buildings, equipment, and repairs.

Chap. 856, Mar. 9, 1907.

914. **North Dakota**: Amending sec. 1082, Revised Codes, 1905, relative to the objects of normal schools.

Course of study shall not extend more than two years beyond the course of study prescribed in a high school of the first class.

Chap. 100 (in part), Mar. 19, 1907.

915. **North Dakota**: Amending sec. 1172, Revised Codes, 1905, relative to the industrial school and school for manual training.

Name of school changed to State Normal and Industrial School. Object extended so as to include preparation of teachers with special reference to manual training.

Chap. 241, Mar. 23, 1907.

916. **North Dakota**: Referring to next legislature amendment to sec. 216, Const., 1889.

Normal school established at Minot.

P. 453, Mar. 11, 1907.

917. **Oregon**: Repealing secs. 3471 to 3489, secs. 3491 to 3500, secs. 3500 to 3507, relative to state normal schools, and enacting substitutes.

Abolishing the several existing normal-school boards and creating a board of regents of normal schools; defining powers and duties of boards. Prescribing uniform course of study for normal schools. Creating board of visitors for each normal school. Authorizing establishment of model schools.

Chap. 189, Feb. 25, 1907.

918. **Vermont:** Relating to investigation of normal schools.

"That a commission consisting of five members, to be appointed by the governor, is hereby created and empowered to consider the present status and equipment of the normal schools of the State, to compare the same with the normal school facilities of other States, and to report to the general assembly at the biennial session of 1908 their findings and recommendations by bill or otherwise. Said commission is empowered to call for and examine persons, books and papers, in relation to the normal schools.

"Said commission shall serve without pay but the auditor of accounts shall draw orders on the state treasurer for the necessary expenses of the members of said commission in pursuance of the purposes of this resolution."

Jt. Res. No. 500, Dec. 14, 1906.

919. **Virginia:** Relating to the establishment of state normal and industrial schools for women at Harrisonburg and Fredericksburg.

Appropriating $75,000, and providing for supervision, management, and government by boards of trustees. Prescribing powers and duties, conditions of admission of pupils, etc.

Chap. 284 (Gen. Approp.), p. 428, Mar. 14, 1908.

920. **Washington:** Relating to the model training school departments of normal schools, authorized by sec. 2550, Annotated Codes and Statutes, 1897.

Providing for the attendance of pupils upon such schools, for reports of attendance, and for apportionment of state school funds.

Chap. 97, Mar. 11, 1907.

921. **Wisconsin:** Appropriating a certain sum of money to the normal school fund income to build a normal school at La Crosse.

Regents to erect a normal school at La Crosse; appropriation, $210,000; plan and contract subject to approval by the governor.

Chap. 299, June 21, 1907.

(c) County and Local Normal and Training Schools.

In all grades of public schools the greatest demand of the present is for more and better trained teachers. The demand for qualified teachers in villages and cities has in the great majority of States greatly exceeded the supply of graduates from the state normal schools and other schools for the professional training of teachers. But nowhere is the need more pressing than in the case of the schools of rural districts. Even without this excess of demand, the difficulty of making the teachers' position in the rural school, under the existing conditions of meager compensation and social isolation, desirable to those completing the longer and more complete training courses of the state normal schools, has long been recognized. Certain States have attempted to meet directly the need for better rural schoolteachers through the establishment of "county normal schools" or "county normal-school training classes," where the students, who otherwise would go directly into the work of teaching, are given one year, more or less, of special training calculated to fit them for more effective service in the rural schools. Wisconsin has been one of the leaders in this movement, and the success of the plan in that

State is borne out by the recent enactment (927) increasing the number of these schools from twelve to twenty. Nebraska (922b) has a somewhat different plan for supplying a minimum amount of professional training. The amended measure in that State is testimony of the effectiveness of the so-called "junior normal schools."

The several acts relative to professional training of teachers in high schools—Nebraska (923), Vermont (925), and Virginia (926)—are clearly indicative of the character of the demands in those States for more skillful teachers, especially for the rural schools.

The Indiana measure (922) is easily the most important one of this group. Its presentation in full seems to be warranted.

922*. **Indiana:** Concerning normal schools and the training and licensing of teachers.

"SECTION 1. *Be it enacted* * * *, That the state board of education, in addition to its present powers and duties, shall be and is hereby constituted a state teachers' training board, and, as such, is authorized and directed to arrange for a regular system of normal school instruction throughout the state; to designate what schools and what professional departments in schools shall be accredited in the state system of normal school instruction; to fix conditions upon compliance with which present and future schools and departments may become accredited as a part of such system; to establish, inspect, pass upon and approve, reject, alter, amend, or enlarge courses of study and teaching in the several accredited normal schools and the accredited professional departments in schools of the state; and to determine upon credits to be allowed for the work of accredited schools and departments, and equivalents, if any, to be accepted for such work or any part thereof. Said board shall make no rule, regulation or requirement applying to any accredited school or department which shall not under like circumstances apply to each and every accredited school and department in the state, nor shall any requirement be in excess of the requirements of the Indiana state normal school; it being the purpose and intent of this act that all schools and departments for normal instruction and the training of teachers shall maintain as nearly as possible like standards of excellence and efficiency.

"SEC. 2. The state teachers' training board shall have power and authority to prescribe courses of study upon completion of which graded certificates of work done may be granted by any such accredited school, which certificate shall be recognized by the Indiana state normal school so far as such certificates meet the requirements of said school's course.

"SEC. 3. In order to encourage trained teachers to teach in the district schools and in the grades in the small towns of the state, each accredited school and the state normal school may, subject to the rules and regulations of the state teachers' training board, establish a two-year course open to high school graduates, the completion of which will be accepted in lieu of a license and will entitle one to teach in the district schools and the grades in the small towns for three years without examination.

"SEC. 4. After two years from graduation, upon satisfactory evidence of professional experience and ability to instruct and manage a school, under rules and regulations therefor to be established by said state teachers' training board, graduates of any accredited school or department shall be entitled to diplomas to be issued by said accredited school, stating the character and amount of work completed.

"SEC. 5. Said state teachers' training board shall grant to each school and department accepting the provisions of this act and agreeing to be bound by the rules and regulations of said board the right to use the word 'accredited' as a part of the title or name of such school or department, which right shall be revoked by said board at any time upon the refusal of any such school or department to abide by any rule or regulation of said board.

"SEC. 6. It shall be unlawful for any school or department for normal instruction and the training of teachers which has not accepted the provisions of this act or whose authority under this act has been revoked to use the word 'accredited' as a part of its name or title or to state that such school or department has been accredited. If any officer, employee, agent, owner, or part owner, or instructor or teacher in any school or department for normal instruction and the training of teachers which has not been accredited as provided herein or whose authority hereunder has been revoked as herein provided, shall use the word 'accredited' as a part of the name or title of such school or department, or shall publish, advertise, announce or say that such school or department is accredited, upon conviction of the same, he shall be fined in any sum of not more than five hundred dollars."

Chap. 239, Mar. 11, 1907.

922a. **Maine:** Making special appropriation to Lee Normal Academy.

Appropriating $1,000 for each of the years 1907 and 1908 for the payment of instruction, provided that special and systematic instruction in the science and art of teaching is given. State superintendent of public schools to be ex-officio a member of board of directors. Additional appropriation for repairs.

Resolves, chap. 56, Feb. 26, 1907.

922b*. **Nebraska:** Repealing, and reenacting with amendments, secs. 20, 21, 22, 23, and 24, subdiv. 13, chap. 79, Compiled Statutes 1905 (secs. 11193 to 11196, Cobbey's Annotated Statutes, 1903), relative to junior normal schools.

Increasing minimum number to be established from three schools to five, and maximum number from five schools to eight. Fixing annual term at not less than six nor more than eight weeks (formerly, not less than ten weeks). Providing for relocation of institutes in cases of emergency. Providing for use of three-fourths of institute fund of county in which junior normal school is established, and for the designation of one week of the junior normal school as institute week. Providing for courses of study, and authorizing elementary state certificate to those completing prescribed elementary course of study of the state normal school in the junior normal school.

Chap. 128, Mar. 27, 1907.

923*. **Nebraska:** Providing for normal training in high schools.

Authorizing state superintendent to designate the schools in which such training shall be given, to prescribe the conditions of admission to normal training classes, the course of instruction, and the rules and regulations under which such instruction shall be given.

"In approving a high school for normal training as contemplated in this act, the state superintendent shall be governed by the following general requirements:

"1. A high school in order to be approved for normal training must be a school accredited to the University of Nebraska.

"2. At least two teachers exclusive of the city superintendent shall give their entire time to instruction in high school branches.

"3. Normal training as provided in this act shall be given in the eleventh and twelfth grades. Credit for such training shall be given upon the completion of the prescribed course in normal training and the regular high school course of study.

"4. The course in normal training shall be elective, and shall consist of the three following lines of study:

"(*a*) A review for at least nine weeks in each of the following subjects—reading, grammar, arithmetic, and geography—to be given not earlier than the tenth grade. This work shall include subject matter, underlying principles and methods of teaching, and should enable the student to approach the subject from the standpoint of the teacher as well as that of student. It shall be given by well-trained, experienced teachers.

"(*b*) A study of American history for at least one semester in the eleventh or twelfth grade.

"(*c*) At least seventy-two periods of professional training to include a study of methods, school management, observation work, etc., etc., to be given in the senior year by the city superintendent of schools or by a member of the high school faculty recommended by him and approved by the state superintendent of public instruction.

"5. Schools offering this course shall have a reference library of at least three volumes on each of the following fields of professional study—history of education, principles of education, methods, and special training in industrial education, including agriculture.

"6. In case elementary agriculture is not in the regular course of study it shall be required in the course in normal training.

"7. Every high school approved for normal training shall instruct a class of not less than ten, and every scholar admitted to such class shall continue under instruction not less than eighteen weeks in order to be counted in such class."

Appropriating $50,000 for the biennium ending March 31, 1909; providing biennial state aid of $700 to each district organizing and conducting a class of not less than ten.

Chap. 129, Apr. 10, 1907.

D 924. **North Carolina** (1908): The issuance of county bonds to aid in the establishment of a training school for teachers in accordance with the provisions of chap. 820, p. 1165, Acts, 1907, and carried out by Acts, 1907, p. 733, chap. 493, is for a "public purpose," and not violative of the constitution, as not within the scope and purpose of a municipal corporation.—Cox *v.* Commissioners of Pitt County, 60 S. E., 516.

925. **Vermont**: Repealing sec. 643 (relative to training departments for teachers in incorporated graded schools) and sec. 656 (defining graded school). Statutes, 1894.

See act No. 60, Dec. 18, 1906—enactment act No. 357.

Act No. 46, Dec. 19, 1900.

926. **Virginia**: Providing for normal instruction in certain public high schools to be designated by the state board of education, and appropriating money therefor.

Appropriating annually $15,000 for the payment of teachers in normal departments of approved high schools. Maximum annual amount to any one school $1,500; state board of education to designate schools, and prescribe normal course of study, qualifications of normal teachers, etc. Chief object of work to instruct teachers in the best methods of organization, teaching, and management of primary schools in rural districts.

Chap. 67, Feb. 25, 1908. (July 31, 1908.)

927. **Wisconsin**: Amending chap. 373, Laws, 1901, as amended by sec. 4, chap. 338, Laws, 1903; amending chap. 373, Laws, 1901, as amended by sec. 5, chap. 338, Laws, 1903, as amended by sec. 5, chap. 509, Laws, 1905, and adding sec. 6, relative to the number of county training schools for teachers that may be organized, and the duties of the state superintendent in relation to such schools.

Taking from state superintendent power to determine qualifications of all teachers employed in such schools.

Increasing maximum number of schools that may be established from twelve to twenty.

Prohibiting any member of county training school board from teaching in any such school during term of office; and requiring every teacher to be legally qualified for position of principal of a free high school having a four-year course of study.

Chap. 601, July 12, 1907.

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(d) Teachers' Institutes and Summer Schools.

The number and character of the enactments on this subject clearly show that the teachers' institute and the summer school are to be developed in a larger way by no small number of States. The enactments in Florida (931), (932), relative to teachers' summer training schools, in Idaho (933) providing for summer normal schools, in Indiana (935) providing for annual teachers' institutes in each county, in Minnesota (936) providing for summer sessions at the state normal school, in New Jersey (939) establishing summer courses in elementary agriculture, manual training, and home economics for teachers, and in Utah (944) providing for the better organization and control of teachers' institutes, seem to offer abundant evidence of the trend of educational practice in this one particular.

928. **Arizona**: Amending subdiv. 3, sec. 17, act No. 89, Acts, 1903, relative to duties of state superintendent of public instruction.

Adding provision that 5 per cent of the apportionment of the territorial school fund to the several counties shall be placed to the credit of the institute fund by the county treasurer.

Sec. 13, chap. 67, Mar. 21, 1907. (July 1, 1907.)

929 **Arizona**: Amending pars. 2158–2163 (secs. 29–34, chap. 5, tit. 19), Revised Statutes, 1901, relative to teachers' institutes.

Minor amendments regarding institute funds, payment of institute expenses, record of attendance, etc.

Annual institutes must be held in all counties having twenty or more (formerly ten) school districts.

Sec. 16, chap. 67, Mar. 21, 1907. (July 1, 1907.)

930. **Arkansas**: Amending act No. 311, Acts, 1905, relative to the improvement of the character of teaching.

Providing for appointment, by county examiner, of conductor for annual institute for negro teachers. Providing that all the time of the institutes be devoted to work in the common branches; for reports from teachers in accordance with requirement of state superintendent of public instruction; for indorsement of certificates. Requiring attendance for full time of institute. Special provisions for teachers attending Peabody institutes or other institutes or summer normal schools.

Act No. 367, May 23, 1907.

931. **Florida**: Requiring teachers' summer training schools and making appropriations therefor.

Appropriating $4,000 annually for 1907 and 1908 for the purpose of maintaining such schools, provided impartially for teachers of both races: at the University of Florida and the Florida Female College for white teachers, and at the Colored Normal School for colored teachers; by such instructors as the state superintendent of public instruction may appoint and at such time as he may designate.

Chap. 5652 (No. 57), May 7, 1907.

932. **Florida**: Making an appropriation to secure a better attendance upon teachers' summer training schools.

Appropriating $2,500 annually for years 1907 and 1908 to pay the traveling expenses, one way, to the nearest teachers' summer training school, of teachers or prospective teachers, living in the State but outside the county in which the school is held. Requiring such teachers to make affidavit in writing to state superintendent that they intend to teach in Florida at least one year.

Chap. 5655 (No. 60), May 25, 1907.

933 *. **Idaho:** Providing for summer normal schools, creating a commission for the management thereof, and making appropriation therefor.

Providing for three summer normal schools under the control of a commission consisting of the state board of education and the principals of the Lewiston and Albion state normal schools. Prescribing powers and duties of commission, location of schools (three), terms and fees of admission, length of session, etc.; appropriating $6,000 for the biennium 1907 and 1908.

H. B. No. 55, p. 225, Mar. 12, 1907.

934. **Indiana:** *See enactment No. 814.*

935. **Indiana:** Providing for annual teachers' institutes in each county.

Chap. 51, Feb. 25, 1907.

936*. **Minnesota:** providing for summer sessions at each of the state normal schools.

Sessions to be for twelve weeks. Arrangements to be such as to conserve most fully the welfare of rural schools. Appropriating $30,000 annually for the biennium 1907–1909. Appropriations under section 1435, Revised Laws, 1905, not to be used.

Chap. 164, Apr. 12, 1907.

937. **Montana:** Amending secs. 1900, Political Code, 1895, art. 12, chap 6, tit. 3, part 3, Political Code, 1895, Ann. Sec. 1904, Political Code, 1895, as amended by S. B. No. 44, page 129, Laws, 1897, relative to county teachers' institutes.

Providing for joint institutes. Increasing appropriations for institutes by county commissioners.

Chap. 148, Mar. 7, 1907.

938. **Nebraska:** Repealing, and reenacting with amendments, sec. 11149, Cobbey's Annotated Statutes, 1903, relative to teachers' institutes.

Annual institutes to be held during the months of June, July, and August.

Chap. 124, Mar. 11, 1907.

939. **New Jersey:** Establishing summer course in elementary agriculture, manual training, and home economics.

State board of education to prescribe rules and regulations, and designate places. Providing for certificates to teachers upon completion of courses. Appropriating conditionally, annually, $2,000.

Chap. 55, Apr. 1, 1908.

940. **North Dakota:** Amending in a minor manner sec. 892, relative to institute funds.

Sec. 8, chap. 95, Mar. 19, 1907.

941. **Ohio:** *See enactment No. 866.*

942 *. **Oklahoma:** Repealing art. 9, chap. 73, Statutes, 1893, and art. 10, chap. 33, Laws, 1905, relative to county institutes, and enacting a substitute, incorporating sundry amendments.

Prescribing general character of course of study of institutes. Providing for the renewal of teachers' certificates under certain conditions of attendance upon institutes. Providing for separate institutes for negro teachers. Prescribing duties of conductors and county superintendents.

Chap. 77, H. B. 103, p. 675, May 12, 1908.

943. **Pennsylvania:** Amending act No. 164, Laws, 1905, regulating the time of holding city teachers' institutes.

Extending provision of act so as to include boroughs. Limiting time for holding such institutes to *school* year.

Act No. 40, Apr. 4, 1907.

944. **Utah:** Amending sec. 1793, Revised Statutes, 1898, relative to annual teachers' institutes.

Creating a governing board for the holding of county teachers' institutes, composed of the state superintendent of public instruction, the principal of the state normal school, and the county superintendent. Providing for instruction and instructors; also for union institutes.

Chap. 121, Mar. 23, 1907.

945. **Vermont:** Amending sec. 602, chap. 32, Public Statutes, 1894, as amended by sec. 2, act No. 29, Acts, 1902, relative to educational meetings.

Removing provision that such meetings may be held only when no institute or summer school is held. Daily and annual expense not to exceed allowance for summer school.

Sec. 1, act No. 44, Nov. 8, 1906.

946. **Washington:** Amending sec. 100, chap. 118, Laws, 1897 (Code of Public Instruction), relative to county institutes.

Authorizing city superintendents in districts employing more than 100 teachers to hold institutes.

Sec. 4, chap. 163, Mar. 13, 1907.

H. SCHOOL POPULATION AND ATTENDANCE.

(a) General.

947. **Ohio:** Repealing, and reenacting with amendments, sec. 4002–9, Revised Statutes (1905), relative to relief to enable children to attend school.

Relief cases to be cared for by board of education, instead of authorities charged with care of the poor.

H. B. 1172, p. 477, May 9, 1908.

948. **Pennsylvania:** Regulating the entrance of beginners into the public schools.

Authorizing school boards to confine the admission of beginners into the public schools to certain periods, at least two of not less than one week each, during the school year. Defining term "beginner."

Act No. 246, May 31, 1907.

(b) School Census.

Two factors—the apportionment of school funds on the census basis and the enforcement of compulsory education laws—continue to contribute to the increasing importance of an accurate and complete school census as a basis for many features of effective educational administration. Of the enactments here grouped together, that of New York (959), establishing a permanent census board in the city of New York, will perhaps be of the widest interest. To the students of the compulsory education problem in cities the plan proposed by this measure seems to afford an effective means for the enforcement of the compulsory education law. The enactments in Alabama (949), in Connecticut (951), in Louisiana (953), in Montana (957), in North Dakota (961), in Ohio (962), and in Washing-

ton (965) are representative of the persistence of the effort to make the school census serve a real purpose.

949. **Alabama:** Providing for school census.

Providing for school census by local authorities during July, 1908, and biennially thereafter; for reports, for compensation of enumerators, and for penalties for false enumeration.

Act No. 771, p. 754, Aug. 14, 1907. (Secs. 1717, 1718, Code, 1907.)

950. **California:** Adding sec. 1641 to Political Code, 1906, defining "census children."

Children between the ages of 5 and 17 years, including children of Indian parents who pay taxes and who are not living in tribal relations, declared to be census children for all school purposes.

Chap. 85, Mar. 5, 1907.

951. **Connecticut:** Amending secs. 2252, 2255, and 2167, General Statutes, 1902, concerning the enumeration of children.

Requiring enumeration in districts and towns to include number of children not in school, together with reasons for nonattendance, and number employed, together with name of employer.

Chap. 31, Apr. 11, 1907.

952. **Idaho:** *See enactment No. 1534.*

953. **Louisiana:** Amending and reenacting sec. 2, act No. 129, Acts, 1898, providing for the enumeration of the educable children in the parish of Orleans.

Enumeration to include deaf, dumb, and blind children.

Act No. 48, June 20, 1908.

954. **Michigan:** *See enactment No. 1552.*

955. **Mississippi:** Amending sec. 4579, Code, 1906, relative to the enumeration of educable children.

Changing time of taking census from "during 1902 and every four years thereafter," to "during 1908 and every four years thereafter."

Chap. 202, Feb. 14, 1908.

956. **Montana:** Amending art. 2, chap. 6, part 3, tit. 3, Political Code, 1895, relative to the duties of the county superintendent of schools, by adding sec. 1745, regarding school census.

Requiring county superintendent to prepare and transmit copy of school census of children under 17 years of age to the commissioner of the bureau of agriculture, labor, and industry. Providing penalties.

Chap. 17, Feb. 18, 1907.

957. **Montana:** Amending par. 3, sec. 1830, chap. 6, art. 6, part 3, tit. 3, Political Code, 1895, as amended by H. B. No. 177, p. 121, Laws, 1901, relative to the taking of the school census.

Prescribing that census shall include age and date of birth of child.

Chap. 97, Mar. 5, 1907.

958. **New Jersey:** Authorizing school district boards to take school census every five years.

Chap. 118, May 7, 1907.

959*. **New York:** Relative to a school census. Repealing chap. 550, Laws, 1895.

"SECTION 1 A permanent census board is hereby established in each city of the first class. Such board shall consist of the mayor, the superintendent of schools, the police commissioner or officer performing duties similar to those of a police commissioner. Such board shall have power to make such rules and regulations as may be necessary to carry out the

provisions of this act. Such board shall have power to appoint a secretary and such clerks and other employees as may be necessary to carry out the provisions of this act and to fix the salaries of the same. Such board shall ascertain through the police force, the residences and employments of all persons between the ages of 4 and 18 years residing within such cities and shall report thereon from time to time to the school authorities of such cities. Under the regulations of such board during the month of October, 1909, it shall be the duty of the police commissioners in the cities of the first class to cause a census of the children of their respective cities to be taken. Thereafter such census shall be amended from day to day by the police, precinct by precinct, as changes of residence occur among the children of such cities within the ages prescribed in this act and as other persons come within the ages prescribed herein and as other persons within such ages shall become residents of such cities, so that said board shall always have on file a complete census of the names and residences of the children between such ages and of the persons in parental relation thereto. If in the taking of the first census in any city of the first class during the month of October, 1909, additional policemen shall be required, such additional policemen shall be appointed by the police commissioner of said city from the civil service lists of persons eligible for appointment as such policemen, and said additional policemen shall be allowed in addition to the number now allowed by law. It shall be the duty of persons in parental relation to any child residing within the limits of said cities of the first class to report at the police station house of the precinct within which they severally reside, the following information:

"1 Two weeks before any child becomes of the compulsory school age, the name of such child, its residence, the name of the person or persons in parental relation thereto, and the name and location of the school to which such child is sent as a pupil.

"2 In case a child of compulsory school age is for any cause removed from one school and sent to another school, or sent to work in accordance with the child-labor law, all the facts in relation thereto.

"3 In case the residence of a child is removed from one police precinct to another police precinct, the new residence and the other facts required in the two preceding paragraphs.

"4 In case a child between the ages of 4 and 18 becomes a resident of one of said cities of the first class for the first time the residence and such other facts as the census board shall require. Such census shall include all persons between the ages of 4 and 18 years, the day of the month and the year of the birth of each of such persons, their respective residences by street and number, the names of their parents or guardians, such information relating to illiteracy and to the enforcement of the child labor and the compulsory education law as the school authorities of the State and of such cities shall require and also such further information as such authorities shall require.

"SEC. 2 A permanent census board may be established in any city not of the first class, in accordance with the provisions of this act. If a census board shall not be established in such cities, then, during the month of October, 1909, and in the month of October every fourth year thereafter, the school authorities of every city, not a city of the first class, shall take a census of the children of their respective cities. Such census shall include the information required from the cities of the first class as provided in section 1 of this act.

"SEC. 3 The board of trustees of every school district shall annually on the 30th day of August cause a census of all children between the ages of 5 and 18 years to be taken in their respective school districts. Such census shall include the information required from cities as provided in this act.

"SEC. 4 A parent, guardian or other person having under his control or charge a child between the ages of 4 and 18 years who withholds or refuses to give information in his possession relating to such child and required under this act, or any such parent, guardian or other person who gives false information in relation thereto, shall be liable to and punished by fine not exceeding $20 or by imprisonment not exceeding 30 days.

"SEC. 5 The money required for the purpose of carrying this act into effect shall be paid by the cities and school districts respectively, included in the provisions of this act, but, in cities in which a permanent census board as provided under section 1 of this act is not established and maintained, and in school districts, such moneys shall be paid for the services rendered in the taking of the school census on the certificate of the State Commissioner of Education that such census has been satisfactorily taken.

"SEC. 6 It shall be the duty of the State Commissioner of Education to enforce the provisions of this act.

"SEC. 7 Chapter 550 of the laws of 1895 is hereby repealed.

"SEC. 8 This act shall take effect immediately."

Chap. 249, May 11, 1908.

960. **North Carolina:** *See enactment No. 1556.*

961. **North Dakota:** Amending sec. 835, Revised Codes, 1905, relative to school census and annual school report.

School census to be taken between the 1st and 20th of June (formerly, at the close of the school year). Empowering county superintendent to withhold apportionment of state and county funds to districts where the number of persons of school age attending school for a period of sixty days during the school year is less than 50 per cent of the total enumeration.

Chap. 97, Mar. 12, 1907.

962. **Ohio:** Repealing, and reenacting with amendments, sec. 4030, Revised Statutes (1905), relative to yearly enumeration of school youth.

Providing for the enumeration of feeble-minded, physically disabled, blind, deaf, and mute children.

H. B. 888, p. 80, Apr. 9, 1908.

963. **Texas:** Amending chap. 124, Laws, 1905, relative to a complete system of public schools, by adding sec. 91a, relative to census enumeration and transfers of children under certain conditions to other districts.

Chap. 130, Apr. 18, 1907.

964. **Virginia:** Adding sec. 1463a to Code, 1904, authorizing a new school census to be taken whenever the boundaries of a district are changed.

Chap. 161, Mar. 11, 1908.

965. **Washington:** Amending sec. 49, chap. 118, Laws, 1897 (Code of Public Instruction), relative to duties of district clerks.

School census to be taken in June instead of May. Date of birth to be included. Reports upon children failing to attend school as prescribed by law to be made to county superintendent (formerly, superior judge).

Sec. 3, chap. 163, Mar. 13, 1907.

966. **Wisconsin:** *See enactment No. 57.*

(c) School Year; Month; Day.

Several of the following enactments are of interest in exhibiting the continuance of the effort to equalize educational opportunity and to secure the fullest educational privileges to the children of all communities. Arizona (968), Missouri (970), North Dakota (971), Ohio (972), Oregon (973), and Wisconsin (1085), all took steps to lengthen the legal school year.

967. **Arizona:** *See enactment No. 454.*

968. **Arizona:** Amending par. 2192 (sec. 63, chap. 6, tit. 19), Revised Statutes, 1901, relative to equality of school privileges.

Fixing minimum length of school term at six months; when funds are sufficient, eight months.

Sec. 10, chap. 67, Mar. 21, 1907. (July 1, 1907.)

969. **California:** Amending sec. 1697, Political Code, 1906, defining the length of the school month.

Legal holidays to be included within.

Chap. 18, Feb. 19, 1907.

970*. **Missouri:** Amending sec. 9751, art. 1, chap. 154, Revised Statutes, 1899, relative to length of school term.

Increasing required length of school term from six months to eight months.

H. B. No. 89, p. 433, Feb. 18, 1907.

971. **North Dakota.** *See enactment No. 475.*

972. **Ohio:** Amending sec. 3969, Revised Statutes, 1905, relative to the action of the county commissioners when a board of education fails to provide proper school facilities.

Extending minimum school year from seven months to thirty-two weeks.

H. B. 1003, Mar. 31, 1908.

973. **Oregon.** *See enactment No. 479.*

974. **Wisconsin:** Amending sec. 459, Statutes, 1898, as amended by chap. 326, Laws, 1903, relative to what shall constitute a school month.

Excluding day of primary election and of *any* general election, also legal holidays, and providing that a teacher's time of attendance at the meeting of a teachers' association may be included.

Chap. 92, May 10, 1907.

(d) School Holidays.

975. **Colorado:** Designating the 12th day of October of each year as a public holiday, to be known as "Columbus Day."

Chap. 190, Apr. 1, 1907.

976. **Indiana:** Amending sec. 1, chap. 118, Laws, 1905, relative to legal holidays.

Adding the 12th day of February, commonly called "Lincoln's Birthday," to the list of legal holidays.

Chap. 229, Mar. 9, 1907.

977. **Maine:** Amending chap. 202, Public Laws, 1901 (sec. 88, chap. 15, Revised Statutes, 1903), relative to school holidays.

Removing fast days from list of school holidays and adding Patriot's Day, April 19th, thereto; holidays falling on Sunday to be observed on Monday following.

Sec. 1, chap. 48, Mar. 11, 1907.

977a. **Maryland:** Amending sec. 9, art. 13, Public General Laws, 1904, relative to legal holidays.

Making September 12th, "Defenders' Day," a legal holiday.

Chap. 181, p. 7, Apr. 1, 1908.

978. **Minnesota:** Amending par. 6, sec. 6514, Revised Laws, 1905, relative to holidays.

Making Good Friday a legal holiday.

Chap. 254, Apr. 19, 1907.

979. **New Hampshire:** Amending chap. 11, Laws, 1899 (secs. 1 and 2, tit. 27, chap. 202, Public Statutes, 1901), concerning holidays.

The day on which biennial elections are held not a school holiday.

Chap. 7, Feb. 20, 1907.

980. **New Jersey:** Creating a public holiday to be known as "Good Friday."

Chap. 244, June 12, 1907.

981. **Oklahoma:** Creating an annual holiday to be known as "Labor Day."

Chap. 53, S. B. 437, p. 518, May 23, 1908.

982. **South Dakota:** Amending secs. 2458 and 2459, Revised Civil Code, 1903, relative to legal holidays.

Adding February 12, Lincoln's Birthday, and the first Monday in September, Labor Day, to list of legal holidays; Monday to be observed whenever February 12th, or 22d, or July 4th falls on a Sunday.

Chap. 181, Feb. 12, 1907.

983. **Washington:** Amending sec. 56, Code of Public Instruction, Laws, 1897, relative to holidays in the public schools.

Enumerating the several school holidays upon which teachers may not be required to teach.

Chap. 59, Mar. 4, 1907.

(e) Place of Attendance; Transportation of Pupils; Consolidation of Schools.

Supplementary to the legislation for the furthering of the consolidation of school districts (Section A, enactments 314–361) is that providing for the transportation of pupils to and from school. Indiana (988) passed a most noteworthy act in this connection. Other measures of seeming great importance may be enumerated: Kansas (992), Maine (993), Missouri (1002), New Jersey (1008), Ohio (1010, 1012), Vermont (1015), Washington (1018), and Wisconsin (1019, 1020). The majority of these acts are of self-evident importance to the educational interests of either isolated or unprovided communities of the several States concerned.

The revised act of Massachusetts (995) relative to the transportation at half rate, by street and elevated railway companies, of pupils of public and private schools, in connection with the decision of the Massachusetts supreme court (D 996) and the decision of the United States Supreme Court (D 998), is of more than passing interest and significance.

984. **Arizona:** Amending par. 2211 (sec. 82, chap. 9, tit. 19), Revised Statutes, 1901, relative to the admission of children to public schools.

Providing for the admission of children of nonresidents upon payment of reasonable tuition fee.

Sec. 1, chap. 67, Mar. 21, 1907. (July 1, 1907.)

985. **Connecticut:** Concerning the transportation of high school pupils.

Authorizing the transportation to and from the high school of any pupil residing within the limits of the town, and the payment therefor, whole or in part.

Chap. 36, Apr. 17, 1907.

986. **Idaho:** Amending sec. 66, page 102, Laws, 1899 (sec. 1103, Political Code, 1901), relative to nonresident pupils.

Permitting trustees to determine whether pupils outside their counties (formerly districts) may attend school within their districts.

Sec. 2, H. B. No. 31, p. 17, Feb. 15, 1907.

987. **Indiana:** Amending sec. 2, chap. 204, Acts, 1901, concerning transfers of school children.

Requiring officials of school corporations to which transfer is made to file with the county auditor and with the debtor corporation a statement of number of children transferred and cost of tuition. Previous method of direct payment by school corporations replaced through equalization of tuition fund by county auditor.

Chap. 189, Mar. 9, 1907.

988*. **Indiana:** Concerning the discontinuance of public schools and providing for the transportation of pupils.

"SECTION 1. *Be it enacted* * * *, That the township trustees shall discontinue and abandon all schools under their charge at which the average daily attendance during the last preceding school year has been twelve (12) pupils or fewer; and said trustees may discontinue and abandon all schools at which the average daily attendance during the last preceding school year has been fifteen (15) pupils or fewer: Provided, The conditions as to roads, streams and bridges permit of such discontinuance.

"SEC. 2. It shall be the duty of the township trustees to provide for the education of such pupils as are affected by such or any former discontinuance in other schools, and they shall provide and maintain means of transportation for all such pupils as live at a greater distance than two miles, and for all pupils between the ages of six (6) and twelve (12) that live less than two miles and more than one mile from the schools to which they may be transferred as a result of such discontinuance. Such transportation shall be in comfortable and safe conveyances. The drivers of such conveyances shall furnish the teams therefor, and shall use every care for the safety of the children under their charge, and shall maintain discipline in such conveyances. Restrictions as to the use of public highways shall not apply to such conveyances. The expenses necessitated by the carrying into effect the provisions of this act shall be paid from the special school fund."

Chap. 233, Mar. 11, 1907.

D 989. **Indiana** (1907): Acts, 1873, p. 68, chap. 24 (Burns' Ann. Stat., 1901, sec. 5953), provides that the trustees of the several townships, towns, and cities shall have the power to levy a special tax in their respective townships, towns, and cities for the construction, renting, or repairing of schoolhouses, for providing furniture, school apparatus, and fuel therefor, and for the payment of other necessary expenses of the school, etc. *Held*, that the clause "for the payment of other necessary expenses of the school" did not authorize the levying of a tax to provide free transportation for the pupils of a consolidated school district to and from the school.—State *v.* Jackson, 81 N. E., 62.

D 990. **Iowa** (1907): Code, sec. 2774, authorizes a school board to arrange for the transportation of children to school in certain cases, "when there will be a saving of expense, and children will thereby secure increased advantages." *Held*, that though, if a board which refused to provide transportation for petitioner's child found that a saving of expense would be effected and increased advantages secured by the transportation, it might have been its duty to provide it, where a petition to compel the board to furnish transportation fails to show that the board made such finding or that such saving and advantage would be effected, petitioner fails to show himself entitled to the benefit of the statute.—Queeny *v.* Higgins, 114 N. W., 51.

991. **Kansas:** Repealing, and reenacting with amendments, sec. 2, chap 386, laws, 1905, concerning the attendance of children upon schools of other districts.

Decreasing monthly per capita payment for tuition from $10 to $4 and striking out limitation imposed concerning total monthly expenditure of $45.

Chap. 321, Mar. 7, 1907.

992. **Kansas:** Repealing, and reenacting with amendments, sec. 6149, General Statutes, 1901 (sec. 12, chap. 307, Laws, 1901), relative to the conveyance of pupils to and from school.

Granting district school boards authority to allow compensation to parents for conveyance of children living not less than 2 miles and not more than 3 miles from the schoolhouse.

Chap. 327, Mar. 8, 1907.

993. **Maine:** Amending sec. 3, chap. 216, Acts, 1893, as amended by chap. 203, Acts, 1901 (sec. 2, chap. 15, Revised Statutes, 1903), relative to school districts and the conveyance of pupils.

Designating common-school pupils in place of public-school pupils for conveyance.

Chap. 90, Public Laws, Mar. 20, 1907.

994. **Massachusetts:** Providing that the town of Dighton shall not be required to maintain a high school.

Providing that the town shall pay the tuition of every child attending the high school of another town or city, and also the railway transportation to and from such high school.

Chap. 149, Feb. 27, 1907.

995. **Massachusetts:** Repealing sec. 99, pt. III, chap. 463, and chap. 479, Acts of 1906, relative to the transportation, by street and elevated railway companies, of pupils of the public day and public evening schools and private schools, and enacting a substitute.

Chap. 530, May 19, 1908.

D 996. **Massachusetts** (1905): Rev. Laws, chap. 112, sec. 72, requiring street railway companies to carry pupils of the public schools when going to and returning from school at rates not exceeding one-half of the regular fare and leaving unchanged the previous laws exempting the Boston Elevated Company from the operation of chap. 112, is not objectionable as class legislation, the promotion of education being a sufficient reason for the discrimination in favor of pupils.—Commonwealth *v.* Interstate Consol. St. Ry. Co., 73 N. E., 530; 187 Mass., 436.

Citing Gulf, etc., Ry. Co. *v.* Ellis, 165 U. S., 150, 156; 17 S. Ct., 255; 41 L. Ed., 666. Lake Shore, etc., Ry. Co. *v.* Smith, 173 U. S., 684; 19 S. Ct., 565; 43 L. Ed., 858. Wisconsin, etc., Ry. Co. *v.* Jacobson, 179 U. S., 287, 301; 21 S. Ct., 115; 45 L. Ed., 194. Opinion of Justices, 166 Mass., 589; 44 N. E., 625; 34 L. R. A., 58. Pacific Express Co. *v.* Seivert, 142 U. S., 339; 12 S. Ct., 250; 35 L. Ed., 1035. American Sugar Refining Co. *v.* Louisiana, 179 U. S., 89, 92; 21 S. Ct., 43; 45 L. Ed., 102.

D 997. **Massachusetts** (1905): Rev. Laws, chap. 112, sec. 72, requiring street railway companies to carry pupils of the public schools when going to and returning from school at rates not exceeding one-half of the regular fare, is not a taking of property without due process of law, as there was reason for the legislature to believe that the enforcement of the statute would not result in a loss to the street railway company.—Commonwealth *v.* Interstate Consol. St. Ry. Co., 73 N. E., 530; 187 Mass., 436.

D 998. **Massachusetts** (1907): [a] *United States Supreme Court.* A street railway company whose charter subjects it to "all the duties, liabilities, and restrictions set forth in all general laws now or hereafter in force relating to street railway companies," is bound by the requirement of a statute previously enacted, that street railway companies shall transport school children at a reduced rate, although such statute may be unconstitutional as to already existing corporations.—Judgment, Commonwealth *v.* Interstate Consol. St. Ry. Co. (1905), 73 N. E., 530; 187 Mass., 436, affirmed. Interstate Consol. St. Ry. Co. *v.* Commonwealth, 28 S. Ct., 26; 207 U. S., 79; Adv. S. U. S., 26; 52 L. Ed.

D 999. **Massachusetts** (1906): A vote of a town to reopen a school which had been closed by the school committee *held* to require a reassignment to such school of pupils who had previously attended the same.—Morse *v.* Ashley, 79 N. E., 481.

Under Rev. Laws, chap. 42, sec. 27, a school committee of a town *held* authorized to close a school and transfer the pupils, regardless of a vote of the town to the contrary.—*Ibid.*

1000. **Minnesota:** Amending sec. 1321, Revised Laws, 1905, relative to the powers and duties of school boards as to nonresident pupils.

Providing for cases wherein a person holds property and pays taxes in a district other than the one in which he resides.

Sec. 1, chap. 445, Apr. 25, 1907.

1001. **Missouri:** Amending sec. 9764, chap. 154, art. 1, Revised Statutes, 1899, relative to rules and regulations and admission of nonresident pupils.

Making special provision that a child with only one parent living shall have the privilege of attending school in any district in the State without the payment of a tuition fee.

H. B. No. 550, p. 425, Mar. 20, 1907.

1002*. **Missouri:** Amending sec. 9741, chap. 154, Revised Statutes, 1899, relative to school districts.

Providing that districts having fewer than 25 children may arrange for admission of school children to schools of other districts. Authorizing payment for tuition and transportation.

H. B. No. 615, Mar. 19, 1907.

1003. **Nebraska:** Repealing, and reenacting with amendments, sec. 5477, chap. 79, Compiled Statutes, 1905 (sec. 11297, Cobbey's Annotated Statutes, 1903), relative to attendance of children in school districts other than the one of residence.

Providing that parents or guardians of transferred pupils shall have the right to vote in the district to which such pupils are transferred on all school matters except that of issuing bonds.

Chap. 120, Apr. 6, 1907.

1004. **New Hampshire:** Relating to the transportation of school children on street railroads.

Authorizing special rates for children traveling to and from school.

Chap. 131, Apr. 5, 1907.

D 1005. **New Hampshire** (1906): Laws, 1903, p. 13, chap. 13, requiring every person residing in a school district in which a public school is annually taught and having the custody of a child between the ages of 8 and 14 years, to cause the child to attend public school all the time the school is in session, when construed in the light of Laws, 1871, p. 511, chap. 2, sec. 1, making only persons residing within 2 miles of a school amenable to the requirement, Laws, 1878, p. 183, chap. 55, and Laws, 1885, p. 253, chap. 43, sec. 6, reenacted in Pub. Stat., 1901, chap. 92, sec. 1, authorizing the expenditure of a certain portion of the school money for the purpose of conveying scholars residing not less than 1½ miles from school, and

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[a] See p. 342 for complete text of decision.

Pub. Stat., 1901, chap. 93, sec. 14, omitting the 2-mile limitation contained in the law of 1871, required the person having the custody and control of the child to send it to school whenever conveyance was provided, but did not require a person, living at a distance from the school unreasonable for the child to walk, to convey the child to school either at his own expense or for a sum thought reasonable by the school board.—State *v.* Hall, 64 A., 1102; 74 N. H., 61.

1006. **New Jersey**: *See enactment No. 30.*

1007. **New Jersey**: *See enactment No. 1054.*

1008. **New Jersey**: Amending sec. 182, chap. 1, Laws, 1903 (sp. sess. Oct. 15), as amended by chap. 241, Acts, 1906, relative to apportionment of state school fund by county superintendents.

Providing, in addition to existing apportionment, for the payment of 75 per centum of cost of transportation of pupils to school in district other than that in which they reside, provided their own school be not closed thereby.

Chap. 122, May 7, 1907.

D 1009. **New Jersey** (1907): Failure of a board of education to provide for the transportation of children living remote from the schoolhouse, under P. L. 1902, p. 108, sec. 111, is not a failure to provide suitable school facilities and accommodations within sec. 120 of the same act. Judgment (Sup., 1906) 62 A., 1130, affirmed.—Board of Education of Frelinghuysen Tp. *v.* Atwood, 65 A., 999.

School law (P. L., 1902, p. 111, sec. 120), providing a penalty against a board of education failing to provide suitable school facilities and accommodations, being highly penal in its consequences, must be construed with reasonable strictness. Judgment.—*Ibid.*

1010. **Ohio**: Providing for transportation of pupils in village school districts with attached territory.

Authorizing transportation to be paid for from school funds of village district. Transportation of pupils living within 1 mile of schoolhouse optional with board of education.

H. B. 716, p. 234, Apr. 29, 1908.

1011. **Ohio**: Repealing, and reenacting with amendments, sec. 3922, Revised Statutes (1905), relative to the suspension of schools in subdistricts, and the conveyance of pupils to other districts.

Subdistrict schools having an average daily attendance of 12 not to be suspended under certain conditions. Providing for sixty days' notice for centralization of township schools.

H. B. 723, p. 203, Apr. 24, 1908.

1012. **Ohio**: Repealing, and reenacting with amendments, sec. 3934, Revised Statutes (1905), relative to transportation of pupils in special school districts.

Authorizing transportation to school of adjoining district. Changing residence limit for transportation from one-half to 1 mile.

H. B. 797, p. 265, May 1, 1908.

D 1013. **Ohio** (1907): Rev. Stat., sec. 4022a, authorizing children living more than 1½ miles from their assigned school to attend a nearer school in the same district, or in another district, does not require the board of education of a school district to admit children to a school outside of a district in which they reside, unless the school in their own district is more than 1½ miles from their residence and more remote than the school to which admission is sought.—Boyce *v.* Board of Education of Mount Carmel Special School Dist., 81 N. E., 437; 76 Ohio St., 365.

1014. **Pennsylvania**: Relative to attendance of pupils at more convenient schools outside district of residence.

Permitting children residing 1½ miles or more by public road from the nearest school in the district of residence to attend any more convenient school in any other district without the consent of the directors or controllers of the district where they reside or where they may attend, for the cost of tuition.

Act No. 121, May 2, 1907.

1015. **Vermont**: *See enactment No. 486.*

1016*. **Vermont**: Determining the qualifications of pupils attending schools in other towns.

Requiring pupils, demanding payment of tuition in schools of another town under provisions of act No. 37, Acts, 1904, to pass an entrance examination.

Act No. 51, Dec. 18, 1906. (Apr. 1, 1907.)

1017. **Virginia**: Amending and reenacting secs. 1492 and 1493, relative to persons who shall be admitted to the public schools.

Modifying conditions relative to admission of children of nonresident taxpayers.

Chap. 400, Mar. 16, 1906.

1018. **Washington**: Amending sec. 40, chap. 118, Laws, 1897 (Code of Public Instruction), relative to powers and duties of boards of directors.

Providing for teachers' contracts; for transportation of pupils to and from school.

Sec. 5, chap. 240, Mar. 18, 1907.

1019. **Wisconsin**: Creating secs. 430—1 to 430—8, inclusive, Statutes, 1898, relative to state aid to school districts furnishing transportation for pupils.

Empowering electors of school district to authorize school board or town board of school directors to enter into agreements to compensate parents or guardians for transportation of pupils. Providing for rate of compensation, and in certain cases reimbursement of school districts by the State of half the expenditure.

Chap. 496, July 9, 1907.

1020. **Wisconsin**: Creating secs. 496q, 496r, 496s, and 496t, Statutes, 1898, relative to state aid to rural schools.

"SECTION 496q. Whenever the electors of any rural school district or subdistrict shall direct the board to close the district or subdistrict school and provide transportation and tuition for all persons of school age who may attend any state graded school or the grades below the high school in the free high school district, each such rural district or subdistrict shall receive aid in the sum of seventy-five dollars annually upon complying with the following conditions:

"(1) Transportation shall be provided for at least thirty-two weeks, including legal holidays.

"(2) The average daily attendance of the pupils transported from any district or subdistrict to any state graded school or free high school district, under the provisions of this act shall be eighty per cent of the entire number enrolled for transportation during each term of school.

"(3) Each driver contracted with shall be of excellent moral character, trustworthy and responsible, and shall furnish a safe team with suitable and comfortable conveyance, well supplied with protections against stormy and inclement weather.

"(4) The clerks of each district or subdistrict taking advantage of this act shall make a special report to the state superintendent of public instruction showing that the above conditions have been complied with.

"SEC. 496r. The school district board shall embody in the notices of every annual or special meeting at which any or all of the above matters are to be considered, a statement to that effect, that the question of trans-

portation of children will be voted upon, said notices to be posted as provided for in sections 426 and 427 of the statutes.

"SEC. 496s. The sum of five thousand dollars is hereby appropriated annually from the general fund of the state treasury to enable the state superintendent to meet the provisions of this act; the above sum, or so much of it as may be necessary, to be apportioned in a special apportionment on or before the first of November of each year.

"SEC. 496t. Each district taking advantage of this act, shall receive the same apportionment of the state and other taxes as provided by law, as would have been received had school been maintained in the district."

Chap. 553, July 10, 1907.

(f) Compulsory Attendance; Child Labor; Truancy.

No portion of the entire mass of legislation affecting public education points more definitely to progress than the body of enactments relating to compulsory attendance and child labor. The mere number of these enactments is full of meaning and clearly indicative of the determination of the States to protect themselves by safeguarding the educational and social rights of children. A review and comparison of the principal features of the enactments bring to light unmistakable tendencies to widen the age limitations, to increase the length of the annual school attendance, to require certain degrees of educational advancement as an essential condition of exemption from attendance, to give to school officials far greater authority in the determination of what constitutes satisfactory compliance with the law, and to bring defective children (deaf, dumb, blind, and feeble-minded) within the scope of operation of the compulsory attendance requirements.

Along with the laws regulating compulsory attendance is also presented in generally briefer form those regulating child labor. These latter have come to be regarded as a necessary complement of the former. Not only has there been during the past biennium a very noticeable activity throughout the country in providing for more effective laws than those now existing, both as regards the labor and the education of children, especially in cities, but certain new enactments are representative of a wider recognition of the positive social values inherent in these protective measures for children. The child-labor laws of Arkansas (1022), of Florida (1027), of Georgia (1029), of Kentucky (1034), (1035), of Louisiana (1036), of Mississippi (1047), of Missouri (1048), of Montana (1050), of Nebraska (1051), and of Virginia (1078) are representative of the effort of the Southern States to protect their children from the deteriorating influences of early labor. These measures, in spite of evident weaknesses, are hopeful forerunners of more comprehensive ones.

Of the compulsory education laws, those of Delaware (1026), Illinois (1031), Michigan (1041), Missouri (1049), New Jersey (1054), New York (1056–1058), North Carolina (1060), North Dakota (1064), Oklahoma (1068), Virginia (1079), Washington (1082),

and Wisconsin (1085) may be selected as illustrating the several phases of the modern movement of guaranteeing that every child shall have at least a minimum of education.

1021. **Arizona**: Amending par. 2231 (sec. 101, chap. 11, tit. 19), Revised Statutes, 1901, relative to the school attendance of children.

Prohibiting the employment of children under 14 years of age and providing penalty for violation.

Lengthening period of compulsory school attendance from "at least twelve weeks in each year, six weeks of which time shall be consecutive," to "six school months, of which twenty school weeks shall be consecutive." Attendance to begin within two weeks after opening of school. Providing for compulsory attendance of children between 14 and 16 unable to read and write English language. Further limiting exceptions.

Sec. 2, chap. 67. Mar. 21, 1907. (July 1, 1907.)

1022. **Arkansas**: Regulating the employment of children in factories and manufacturing establishments. (Amending secs. 1947 and 1952, Kirby's Digest, 1904.)

Prohibiting employment of children under 12 years of age; exempting canneries during school vacation period.

Prohibiting on and after Sept. 1, 1907, employment of children under 14 years of age; excepting orphans, and children of widowed mothers, and aged and disabled fathers; requiring certificates of dependency.

Prohibiting, also, on and after Sept. 1, 1907, employment of any child under 14 years of age, "unless he or she can write his or her name, and simple sentences and shall have attended school for twelve weeks of the preceding year, six of which school attendance shall be consecutive; and no such child as aforesaid between the ages of 14 and 18 years shall be so employed unless such child shall have attended school for twelve weeks of the preceding year, six weeks of which school attendance shall be consecutive; and at the end of each year, until such child shall have passed the public school age, an affidavit certifying to such attendance, as is required by this section, shall be furnished to the employer by the parent or guardian or person sustaining parental relations to such child.

"The provisions of this section shall apply only to children entering such employment at the age of 14 or less."

Providing penalties for violations of regulations.

Act No. 456, May 29, 1907.

1023. **California**: Amending secs. 3, 4, 5, and 6, chap. 270, Laws, 1903, relating to the enforcement of the educational rights of children and providing penalties for violation; adding sec. 7½ thereto.

Extending provisions to include school districts having at least 600 census children, and providing for truants in districts and counties having no parental school.

Authorizing school district trustees to raise money for establishment of parental school.

Chap. 77, Mar. 4, 1907.

1024. **California**: Amending sec. 5, chap. 18, Statutes, 1905, regulating the employment and hours of labor of children.

Defining the term "horticulture" so as to include the curing and drying, but not canning, of fruit.

Sec. 5 places horticultural labor during time schools are not in session among the exempt classes.

Chap. 322, Mar. 19, 1907.

1025. **California**: Amending sec. 2, chap. 18, Statutes, 1905, regulating the employment of children.

Providing that attendance officers shall have right to enter places of employment for the purpose of investigating violations of child labor or compulsory education act.

Chap. 524, Mar. 23, 1907.

1026*. **Delaware**: Relating to the compulsory attendance of children at the public schools of the State.

Providing that children between 7 and 14 years of age must attend public or private day school at least five months annually, unless excused by school officers. School district to have power to reduce time to not less than three months.

Method of prosecution for violations, and penalties.

Authorizing establishment of truant schools or commitment to Ferris Reform School.

Authorizing employment of attendance officers, and providing for duties and compensation.

Compelling assessors to take school census and report same to county superintendent, latter to forward to school-teacher a list of children in district. Teacher to report every month absent children to county superintendent and truant officer.

Providing that the state treasurer shall withhold one-fourth the state dividend from any school neglecting to enforce this act.

Chap. 121, Mar. 15, 1907.

1027. **Florida**: Prohibiting the employment of minors under a certain age in certain places and occupations.

Prohibiting employment of children under 12 years of age in factories and in certain occupations. Providing that children under 12 may be employed under certain conditions when public schools are not in session; providing for certificates authorizing such employment; limiting hours of labor; providing for records, and prescribing penalties.

Excepting household or agricultural work.

Chap. 5686 (act No. 91), May 29, 1907. (June 28, 1907.)

1028. **Georgia**: Amending act No. 339, p. 456, Local and Private Laws, 1872, regulating public instruction in the county of Richmond.

Establishing under certain conditions a system of compulsory education for children between the ages of 7 and 12. Excepting those exempted by provisions of child-labor act (act No. 399, p. 98, Aug. 1, 1906). Authorizing county board of education to compel attendance of such children "for the majority of the school days in each school month of seven months of the school year as established by said board."

Providing for attendance of indigent children, for attendance upon approved private schools, for the appointment of truant officers. Designating violation of the act by parent or guardian as misdemeanor. Providing for submission of act to qualified voters of Richmond County for approval, Oct., 1908.

Act No. 74, p. 327, Aug. 16, 1907.

1029. **Georgia**: Regulating the employment of children in factories and manufacturing establishments, and providing for the punishment of violations of the regulations prescribed.

No child under 10 years of age to be employed in any factory or manufacturing establishment under any circumstances. No child under 12 to be employed excepting orphans and children of widows or disabled fathers. (Jan. 1, 1907.)

No child under 14 years of age to be employed "unless he or she can write his or her name and simple sentences, and shall have attended school for twelve weeks of the preceding year, six weeks of which school attendance shall be consecutive; and no such child aforesaid between the ages of 14 and 16 years shall be so employed unless such child shall have attended school for twelve weeks of the preceding year, six weeks of which school attendance shall be consecutive; and at the end of each year until such child shall have passed the public school age, an affidavit certifying to such attendance as is required by this section, shall be furnished to the employer by the parent or guardian or person sustaining parental relation to such child. The provisions of this section shall apply only to children entering such employment at the age of 14 or less." (Jan. 1, 1908.)

Act No. 399, p. 98, Aug. 1, 1906.

1030*. **Idaho**: Prescribing and regulating the employment of minors in certain occupations.

Children under 14 years of age not to be employed during hours in which public schools are in session; children above 12 may be employed during regular vacation of two weeks or more of the public schools. Illiterate minors under 16 not to be employed during hours in which public schools are in session.

"SEC. 2. No minor who is under 16 years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the school district in which he resides are in session, unless he can read at sight and write legibly simple sentences in the English language, and has received instruction in spelling, English grammar, and geography and is familiar with the fundamental operations of arithmetic up to and including fractions, or has similar attainments in another language."

Providing for records of minors employed; limiting time and hours of employment; providing penalties for violation.

H. B. No. 134, p. 248, Mar. 12, 1907.

1031*. **Illinois**: Amending secs. 1, 4, and 5, p. 296, Acts, 1897, as amended, p. 308, Acts, 1903 (secs. 313, 314, and 316, Hurd's Revised Statutes, 1905), relative to promotion of attendance of children in schools and prevention of truancy.

Lengthening period of required attendance, in place of 7 to 14, to 7 to 16, excepting children between 14 and 16 necessarily and lawfully employed during school hours. Defining penalty for false statements concerning children employed.

S. B. 237, p. 520, May 25, 1907.

1032. **Iowa**: Amending sec. 2823f, Code, 1897, relative to the enforcement of the compulsory education law.

Granting county superintendents authority to serve notice upon school officers neglecting to enforce provisions of act.

Chap. 154, Apr. 13, 1907.

1033. **Kansas**: Amending sec. 2, chap. 423, Laws, 1903, relative to attendance of pupils in schools, to truancy, and to truant officers.

Making special provisions for the appointment of truant officers in cities of the first and second classes. Providing for method of notification of parents or guardians of violation of attendance requirements, and also procedure for prosecution.

Children between 8 and 14 years of age not to be employed during school sessions. Exemptions. Penalties for violations.

Chap. 317, Mar. 5, 1907.

1034. **Kentucky**: Repealing chap. 16, Laws, 1902, making it unlawful to employ a child less than 14 years of age in workshops, mines, mills, or factories, and repealing chap. 52, Laws, 1906, as amending the foregoing act, and regulating the employment, use, and protection of child labor in mills, mines, factories, etc., and enacting a substitute.

Children under 14 not to be employed during school term. Children between 14 and 16 may be employed under certain conditions. Providing for employment certificates, and defining the character and conditions of issuance thereof. Prescribing duties of truant officers. Defining certain conditions of employment of children under 16, and prohibiting certain employments in their case. Effective Sept. 1, 1908, and for certain children already employed Sept. 1, 1909.

Chap. 66, Mar. 18, 1908. (Sept. 1, 1908.)

1035. **Kentucky**: Repealing chap. 94, Laws, 1904, relative to school attendance of children between the ages of 7 and 14 in cities of the first, second, third, and fourth classes. Enacting a substitute to promote and compel attendance of children in schools and to prevent truancy in cities of the first, second, third, and fourth classes, and to enable boards of education or boards of school trustees of cities of the first and second classes to

establish and maintain parental or truant schools for the care and discipline of truant children and for the purpose of reducing truancy.

Increasing penalty for failure to comply with provisions of act. Providing for proofs and records of age of children; for the qualifications and compensation and powers and duties of truant officers, and for better means of enforcing attendance of children within prescribed age limits.

Chap. 68, Mar. 19, 1908.

1036. **Louisiana**: Regulating the employment of children, young persons, and women of the State; providing for the issuance of age certificates; providing necessary regulations for sanitary conditions and mechanical devices in mills, factories, mines, and packing houses, manufacturing establishments, workshops, laundries, millinery or dressmaking stores, or mercantile establishments in which more than five persons are employed, or in any theater, concert hall, or in or about any place of amusement where intoxicating liquors are made or sold, or in any bowling alley, bootblacking establishment, freight or passenger elevator, or in the transmission or distribution of messages, either telegraph or telephone, or any other messages, or merchandise, or in any other occupation not herein enumerated which may be deemed unhealthful or dangerous, and providing for the appointment of a factory inspector, and fixing penalties for any violation.

Act No. 301, July 9, 1908.

1037. **Massachusetts**: Amending sec. 31, chap. 106, Revised Laws, 1902, as amended by chap. 432, Acts, 1904, and by chap. 213, Acts, 1905, relative to the approval of age and schooling certificates of minors.

Adding provision that the certificate of the superintendent of the Lyman School for Boys or of the State Industrial School for Girls shall be sufficient evidence as to the age and ability to read at sight and to write legibly simple sentences in the English language of a child who has been an inmate of such school.

Chap. 224, Mar. 20, 1907.

D 1038. **Massachusetts** (1907): Attendance on any one of the schools required to be maintained by Rev. Laws, chap. 42, secs. 10, 11, 12, 15, and 16, can not take the place of the compulsory attendance on public schools established under secs. 1 and 2.—Commonwealth *v.* Connecticut Valley St. Ry. Co., 82 N. E., 19.

1039. **Michigan**: Providing for the conpulsory education of deaf children.

Requiring attendance of every deaf child between the ages of 7 and 18 at some day school for the deaf. Providing for the transportation to the Michigan School for the Deaf of children of indigent parents, and, in case of children under 12 years of age, of parent also.

Making application of the provisions of act No. 200, Acts, 1905 (compulsory education), relative to enforcement and penalties.

Act No. 48, Apr. 17, 1907.

1040. **Michigan**: Amending sec. 2, act No. 260, Acts, 1881 (sec. 5554, Compiled Laws, 1897), as amended by act No. 236, Acts, 1905, relative to protection of children.

Including bowling alleys in list of places prohibited to minors under 17.

Act No. 55, Apr. 25, 1907.

1041*. **Michigan**: Amending secs. 1, 2, 3, and 4, act No. 200, Acts, 1905, providing for the compulsory education of children, and for penalties for failure in compliance.

Raising upper limit of compulsory attendance from 15 to 16 (formerly 7 to 15, inclusive). Defining more accurately conditions for exemption; special provision for children 12 to 14 years of age while in attendance at confirmation classes. Defining more accurately manner of enforcement, and prescribing in greater detail duties of enforcing officers. Numerous minor amendments.

Chap. 74, May 2, 1907.

D 1042. **Michigan** (1906): Pub. Acts, 1895, p. 203, act No. 95, provided for the compulsory education of children between the ages of 8 and 14 years, and in cities between the ages of 7 and 16 years. Pub. Acts, 1901, p. 119, act No. 83, provided for such education between the ages of 8 and 15, and in cities between 7 and 15. Acts, 1905, p. 296, act No. 200, provided for such education of children "between and including" the ages of 7 and 15 years. *Held*, that the latter statute does not apply to children during the 15th year and until they become 16; the intent being to fix the same age limit for all children at such a time in their lives, and for such a term between the extremes of the former acts, as experience had shown to be most satisfactory.—Jackson *v.* Mason, 108 N. W., 697, 13 Detroit Leg. N., 469.

1043. **Michigan**: Amending sec. 4, act No. 144, Acts, 1901, relative to the powers of boards of trustees of township high schools.

Authorizing admission of pupils above the sixth (formerly eighth) grade. Extending compulsory education laws to said schools.

Authorizing special elections or meetings.

Act No. 126, June 5, 1907.

1044. **Michigan**: Amending sec. 2, act No. 113, Acts, 1901, as amended by act No. 171, Acts, 1905, relative to employment of children.

Raising age of employment of children in places of amusement where liquors are sold from 14 to 21 years.

Sec. 1, pp. 223–224, act No. 169, June 18, 1907.

1045*. **Minnesota**: Repealing secs. 1804, 1805, 1806, 1807, 1808, 1809, 1810, and 1811, Revised Laws, 1905, relative to the employment of children, and enacting a more comprehensive measure.

Prohibiting employment of children under 14 years of age during any part of the term during which the public schools are in session. Providing for employment certificates for children between 14 and 16 years of age, to be issued by superintendent of schools; describing certificate.

Limiting hours of labor for children under 16. Providing penalties for violation, and prohibiting certain occupations to children. Providing for physicians' certificates in certain cases.

Chap. 299, Apr. 22, 1907.

1046. **Minnesota**: Amending chap. 26, Revised Laws, 1905, relative to schools for the deaf and the blind, by adding sec. 1937a, requiring the attendance upon school of deaf children.

Requiring attendance of deaf children between 8 and 20 years of age upon the State School for the Deaf. Providing exceptions, penalties, and partial census.

Chap. 407, Apr. 25, 1907.

1047. **Mississippi**: Regulating the employment of children in mills, factories, and manufacturing establishments, and providing for inspection of working places, and for the punishment of violations.

Children under 12 not to be employed in any mill, factory, or manufacturing establishment. Prescribing maximum number of hours of labor, and other conditions of employment, for children under 16. Inspections to be made by sheriffs and county health officers. Penalties.

Chap. 99, Mar. 21, 1908.

1048*. **Missouri**: Regulating the employment of children in gainful occupations and providing penalties for violation.

Prohibiting employment of children under 14 years of age, and limiting hours of employment of children under 16 years of age; applying only to cities of 10,000 or more inhabitants. Prescribing duties of employees; providing for age certificates to be issued by state factory inspector; prohibiting certain employments to children under 16 years of age, and placing enforcement of act under control of state factory inspector. Providing penalties.

S. B. No. 8, p. 86, Mar. 20, 1907.

1049. **Missouri:** Enforcing in cities of 500,000 inhabitants or over the constitutional right of every child in the State to an education, and providing for truant and parental schools and attendance officers, and prohibiting the employment of children during school hours. Repealing, so far as applicable to such cities, act of Apr. 11, 1905 (p. 146).

Compulsory attendance for all children between 8 and 14 years, and for children between the ages of 14 and 16 years not actively and regularly employed, for a period of at least six hours each day. Providing for exemptions, for attendance officers, and for the establishment of parental and truant schools. Prohibiting employment of children between the ages of 8 and 16, unless provided with prescribed certificates. (Applies to the city of St. Louis.)

S. B. No. 364, p. 428, Mar. 19, 1907.

1050. **Montana:** Prohibiting the employment of children in certain occupations under the age of 16 years; providing for the registration of the age of all children, and for the issuance of an age certificate and the disposition of the same; forbidding the employment of children in certain occupations without such certificate; providing for the enforcement of the act, and providing penalties for violations.

Employment under 16 years of age prohibited. Age certificates to be issued by commissioner of the bureau of agriculture, labor, and industry.

Chap. 99, Mar. 5, 1907.

1051. **Nebraska:** Regulating the employment and use of child labor, and providing for enforcement of provisions and penalties for violations.

Prohibiting employment of children under 14 years of age in specified occupations during hours when public schools are in session. Requiring employment certificates to be issued by superintendent of schools for children between 14 and 16 years employed. Prescribing conditions of certificate. Limiting hours of labor and prohibiting certain occupations to children between 14 and 16 years of age. Providing penalties and procedure in violations.

Chap. 66, Mar. 30, 1907.

1052. **Nebraska:** Repealing, and reenacting with amendments, sec. 1, subdiv. 16, chap. 79, Compiled Statutes, 1905 (sec. 11293, Cobbey's Annotated Statutes, Supplement, 1905), relative to compulsory attendance.

Providing that in city and metropolitan city school districts children between 7 and 16 years of age shall attend a public day school for the full period each school year in which the public day schools are in session. Defining more accurately conditions of attendance upon evening schools.

Chap. 131, Apr. 5, 1907.

1053. **New Jersey:** Supplementing chap. —, Laws, 1896 (Revisal of 1896), relative to the punishment of crimes.

Prohibiting unaccompanied minors under 16 years of age from attending dance halls, theaters, shows. Excepting school and pier entertainments. Prohibiting sale of liquor to minors under 18 years; also prohibiting such minors from frequenting billiard halls.

Chap. 185, Apr. 13, 1908.

1054. **New Jersey:** Amending sec. 153, chap. 1, Laws, 1903 (sp. sess.), relative to school attendance.

Raising upper limit of compulsory attendance from 14 to 17. Prescribing subjects to be taught. Exempting children above 15 completing the grammar school, when regularly and lawfully employed; those not employed to attend high or manual training school. Transportation of such children residing in districts not provided with such schools.

Chap. 231, Apr. 13, 1908.

1055. **New York**: Amending sec. 3, tit. 16, chap. 556, Laws, 1894 (Consolidated School Law), as added to by chap. 671, Laws, 1894, as amended by chap. 606, Laws, 1896, and by chap. 459, Laws, 1903; amending sec. 5, tit. 16, chap. 556, Laws, 1894, as amended by chap. 459, Laws, 1903, and chap. 280, Laws, 1905, relative to compulsory education.

Inserting definite provision concerning school record certificates.

Chap. 103, Apr. 3, 1907.

1056. **New York**: Amending sec. 71, chap. 415, Laws, 1897, as amended by chap. 184, Laws, 1903, and chap. 518, Laws, 1905; amending sec. 73 of said chapter, as amended by chap. 184, Laws, 1903; amending sec. 163 of said chapter, as amended by chap. 255, Laws, 1903, and chap. 518, Laws, 1905; and amending sec. 165 of said chapter, as amended by chap. 255, Laws, 1903, relative to issuance of employment certificates for children in factories and mercantile establishments.

Distinguishing the different kinds of age evidence and prescribing order of consideration. Provisions regarding a physician's certificate added. Number of days of required attendance to be during the *twelve months*, instead of the school year, preceding 14th birthday.

Chap. 291, May 6, 1907. (Oct. 1, 1907.)

1057. **New York**: Amending sec. 3, tit. 16, chap. 556, Laws, 1894 (Consolidated School Law), as added by chap. 671, Laws, 1894, and amended by chap. 606, Laws, 1896, chap. 459, Laws, 1903, and chap. 103, Laws, 1907; amending sec. 4 of said title, as added by chap. 671, Laws, 1894, as amended by chap. 606, Laws, 1896, and by chap. 459, Laws, 1903; inserting sec. 4a into said title; and amending sec. 5 of said title, as added by chap. 671, Laws, 1894, and amended by chap. 459, Laws, 1903, chap. 280, Laws, 1905, and chap. 103, Laws, 1907, relative to compulsory education of children.

Harmonizing, with respect to cities of the first and second classes, provisions of compulsory education and labor laws relative to employment certificates, and increasing requirements and data for school record certificates for children between 14 and 16 years of age.

"SECTION 4a. Any principal or chief executive officer of a school to whom application shall have been made for a school record required under the provisions of the labor law shall issue such school record to said child as follows: Such school record shall be issued and signed by the principal or chief executive officer of the school which such child has attended and shall be furnished, on demand, to a child entitled thereto or to the board, department or commissioner of health. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and thirty days during the twelve months next preceding his fourteenth birthday or during the twelve months next preceding his application for such school record and is able to read and write simple sentences in the English language, and has received during such period instruction in reading, writing, spelling, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the date of birth and residence of the child as shown on the records of the school and the name of its parent or guardian or custodian."

Chap. 585, July 15, 1907. (Sept. 1, 1907.)

1058. **New York**: Amending art. 12, chap. 415, Laws, 1897, as added to by chap. 151, Laws, 1903, as amended by chap. 519, Laws, 1905, relative to children working in streets and public places in cities of the first and second classes.

Adding prohibition relative to sale of magazines and periodicals. Providing that the district superintendent or other official appointed by the board of education, before issuing a permit or badge, "shall also

have received, examined and placed on file the written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school, that he is of the normal development of a child of his age and physically fit for such employment, and that said principal or chief executive officer approves the granting of a permit and badge to such child." Principals must also keep complete lists of all children in their schools possessing permits and badges. Changing date of expiration to the first day of January, and requiring change of color for badge each year. Adding provision "before six o'clock in the morning" to section relating to limit of hours. Providing for revocation and surrender of permits and badges.

Chap. 588, July 16, 1907. (Oct. 1, 1907.)

1059. **North Carolina:** Relative to compulsory attendance in Goldsboro Township, Wayne County.

Providing for compulsory attendance of children between 7 and 16 years. Provisos, exemptions, penalties, etc. (Refers to city of Goldsboro.)

Amended by chap. 778, Mar. 8, 1907, making act effective Jan. 15, 1909.

Chap. 375, Feb. 25, 1907.

1060*. **North Carolina:** Requiring attendance upon public schools.

Providing for the submission of the question of compulsory attendance, upon petition of any township or school district, by the county board of education. Prescribing procedure for such elections.

In townships and districts adopting compulsory attendance, and upon order of county board of education, children between 8 and 14 years of age must attend public school for sixteen weeks each year, excepting children over 12 years, lawfully employed. Other exemptions: Indigency of parent or guardian, and abnormal mental or physical condition of child.

Constituting the employment of children under 12 a misdemeanor; proviso. Provisions concerning census lists, reports of attendance by teachers, and prosecutions for violations.

Excepting eleven specified counties from the application of the act.

Chap. 894, Mar. 11, 1907.

1061. **North Carolina:** Compelling white deaf children to attend school.

Prescribing school attendance of forty-five months for white deaf children between the ages of 8 and 15 years. Provisos and exceptions.

Chap. 1007, Mar. 11, 1907.

D 1062. **North Carolina** (1907): Laws, 1905, p. 227, chap. 213, requiring certain Indian children to attend school, is not unconstitutional as class legislation.—State *v.* Wolf, 59 S. E., 40.

1063. **North Carolina:** Amending sec. 2, chap. 213, Laws, 1905, relative to the compulsory attendance of Indian children at school.

Increasing period of required attendance from nine to ten months. Modifying application of act relative to proportion of Indian blood—one-seventeenth instead of one-eighth.

Chap. 59, Jan. 31, 1908 (sp. sess.).

1064*. **North Dakota:** Amending sec. 894, Revised Codes, 1905, relative to compulsory education.

Striking out clause concerning eight months' period of attendance for deaf or feeble-minded child. Extending enforcement of act to all children residing within 3 miles of schoolhouse (formerly 2½). Parents and guardians not to be prosecuted without ten days' notification to comply with law.

Chap. 98, Mar. 14, 1907.

1065. **North Dakota:** Amending sec. 8983, Revised Codes, 1905, relative to prohibiting minors in certain public places.

Prohibiting "any person attending a local high school" from playing or being employed in any pool or billiard hall, bowling alley, etc.

Chap. 128, Mar. 19, 1907.

1066. **Ohio**: Repealing, and reenacting with amendments, secs. 1, 2, and 3, S. B. 58, p. 321, Laws, 1904 (sec. 6986–7, Revised Statutes, 1905), and sec. 4, H. B. 34, p. 123, Laws, 1898 (sec. 6986–10, Revised Statutes, 1905), relative to the employment of minors.

Sundry amendments. Age and school certificate provisions strengthened.

H. B. 714, p. 30, Feb. 28, 1908.

D 1067. **Ohio** (1905): Rev. Stat., sec. 4022a, relating to the attendance of children of school age on the public schools, is violative of constitution, art. 2, sec. 26, in conferring a privilege on a portion of the children of school age who reside farther than 1½ miles from the school where they have a legal residence, and not on others, though similarly situated.—Cincinnati School District *v.* Oakley Special School Dist. No. 11, 27 Ohio Cir. Ct. R., 824.

1068*. **Oklahoma**: Providing for the compulsory attendance in the public schools of children between the ages of 8 and 16 years.

Providing for exemptions; procedure for enforcement. Prescribing that necessary books shall be furnished to needy children. Establishing scholarships.

"SEC. 4. If any widowed mother shall make affidavit to the effect that the wages of her child or children, under 16 years of age, are necessary to the support of such widowed mother, then the county superintendent of public instruction may after careful investigation, in his discretion, upon the recommendation of the school district board, or board of education of cities of the first class, furnish such child or children a certificate called a "scholarship," stating the amount of wages such child or children are receiving, or so much of such wages as shall be deemed necessary so long as such child or children shall attend the public school in accordance with the provisions of this act; which aid may be allowed and paid upon the certificate of the county superintendent of public instruction to the child or children holding such scholarship, by the board of county commissioners of the county in which such child or children reside."

Chap. 34, H. B. 31, p. 393, April 10, 1908.

1069. **Oregon**: Repealing secs. 3423, 3424, and 3425, B. and C., 1901, relative to compulsory education.

Compulsory attendance for children 9 to 14 years of age, and children between 14 and 16 years of age not regularly and lawfully employed. Attendance for entire period of public-school sessions. Exceptions. Providing for the appointment and compensation of truant officers. Providing also for procedure for enforcement. (See also p. 79, Laws, 1903, and chap. 208, Laws, 1905.)

Chap. 79, Feb. 23, 1907.

1070. **Pennsylvania**: Amending sec. 1, act No. 335, Acts, 1901, relative to school attendance and certificates.

Providing for the issuance of school certificates by a superintendent of schools, notary public, or anyone who can administer oaths in cities and boroughs, and by secretary of school board in rural districts. Raising age of exemption of working children who can read and write (from 13 to 16) to 14 to 16.

Act No. 237, May 29, 1907.

1071. **Pennsylvania**: Amending secs. 2, 3, and 5, act No. 335, Acts, 1901, relating to school attendance, and providing attendance officers.

Providing penalty of fine of $10 to $30 for employment of a child not in attendance at school as stipulated. Authorizing attendance officers to enter any place of employment to inspect the records required by law. Providing penalties for refusal to permit such inspection. Authorizing the dismissal of children illegally employed and providing penalty for violation. Extending the police power of attendance officers to incorrigible children; and providing for proceedings against persons violating the provisions of the act.

Act No. 241, May 29, 1907.

1072. **South Dakota**: Providing for the compulsory education of Indian children at schools when tuition, lodging, and board are furnished at the expense of the United States.

Compulsory period 6 to 18. Prescribing penalties.

Chap. 136, Mar. 8, 1907.

1073. **South Dakota**: Providing for the compulsory education of the deaf and blind.

Defining duties and authority of county judges and county superintendents of schools. Providing for payment of expense.

Chap. 137, Mar. 4, 1907.

1074. **Tennessee**: Providing for and enforcing the education of all children between the ages of 8 and 16 years in counties having a population of not less than 11,000 nor more than 11,100, according to the federal census of 1900, or any subsequent federal census, and a population of not less than 17,300 and not more than 17,400 by the last or any subsequent federal census.

Minimum period of attendance fixed at sixteen consecutive weeks. Providing for exemptions and for the care of indigents. Prohibiting the employing of children of compulsory age during school sessions unless provision concerning minimum school attendance has been complied with. Prescribing conditions for enforcement and penalties for violation.

(Became law without governor's signature.)

Chap. 603, Apr. 2, 1907. (June 30, 1907.)

1075. **Tennessee**: Providing for and enforcing the education of all children between the ages of 8 and 16 years in counties having a population of not less than 17,300 and not more than 17,400, according to the federal census of 1900, or any subsequent federal census.

(Similar act to preceding. Became law without governor's signature.)

Chap. 604, Apr. 4, 1907. (June 30, 1907.)

1076. **Vermont**: Amending sec. 712, chap. 38, Statutes, 1894, as amended by sec. 1, act No. 155, Acts, 1904; sec. 715, chap. 38, Statutes, 1894; sec. 1, act No. 155, Acts, 1904; sec. 716, chap. 38, Statutes, 1894, as amended by sec. 2, act No. 39, Acts, 1904; sec. 718, chap. 38, Statutes, 1894, as amended by sec. 1, act No. 26, Acts, 1898, relative to truancy and child labor.

Extending provisions so as to include quarries and railroad companies. Providing for school certificates for children under 16 years of age who have not completed the elementary course of study of nine years.

Act No. 52, Dec. 19, 1906.

1077. **Vermont**: Providing educational privileges for children of school age in unorganized towns or gores.

Authorizing the commissioner of taxes of unorganized town or gore to assess a tax, not exceeding 50 per cent, for payment of expenses, not to exceed $1.50 a week. Granting to commissioner of taxes the powers and duties of school directors and truant officers of organized towns; and extending provisions of attendance laws to unorganized towns and gores.

Act No. 59, Nov. 21, 1906. (Apr. 1, 1907.)

1078. **Virginia**: Regulating the employment of children in factories, mercantile establishments, workshops, and mines on and after Mar. 1, 1909.

Fixing minimum age limit at 13 years after Mar. 1, 1909, and at 14 years after Mar. 1, 1910. Providing for exceptions and penalties. (No educational provisions.)

Chap. 301, Mar. 13, 1908.

1079. **Virginia:** Providing, in certain cases, for the compulsory attendance of children between the ages of 8 and 12 years upon the public schools, and providing penalty for failure, and designating the manner of collecting such penalties.

Requiring attendance for twelve weeks in each school year, six of which to be consecutive. Numerous causes for exception. Act to become operative within any county, city, or town only after submission and adoption by qualified electors. Prescribing election procedure.

Chap. 364, Mar. 14, 1908.

1080. **Washington:** Repealing chap. 136, Laws, 1903, relative to child labor, and enacting a substitute.

Prohibiting employment of persons under 19 years of age as messengers. Providing for permits to labor to be issued by judge of juvenile court to male children over 14 years of age.

Chap. 128, Mar. 11, 1907.

1081. **Washington:** Relating to the compulsory education of children between the ages of 8 and 15 years, forbidding the employment of children during the session of the public schools, providing penalties, and repealing conflicting acts.

Chap. 231, Mar. 16, 1907.

1082*. **Washington:** Amending sec. 71, chap. 118, Laws, 1897 (Code of Public Instruction), relative to compulsory attendance.

Extending annual period of compulsory attendance from three months to the entire session of the public schools.

Sec. 7, chap. 240, Mar. 18, 1907.

1083. **Wisconsin:** *See enactment No. 1546.*

1084. **Wisconsin:** Amending sec. 558, Statutes, 1898, as amended by chap. 450, Laws, 1901, relative to the apportionment of the school fund.

Requiring the maintenance of an eight (formerly, seven) months' session.

Chap. 108, May 16, 1907.

1085*. **Wisconsin:** Amending secs. 439a and 439b, Statutes, 1898, as amended by chap. 189, Laws, 1903, and adding secs. 439cb, 439cc, and 439cd, relative to attendance at school.

Requiring attendance of children between the ages of 7 and 14, and of those between 14 and 16, unless employed in accordance with chap. 349, Laws, 1903, during entire annual session of school in cities of first class, eight months in other cities, and six months (formerly, five) in towns and villages. Defining "regular attendance." Fixing time of enrollment. Prescribing compulsory attendance without exemption on account of distance from school in districts furnishing transportation. Providing for exemptions of children completing course of study of common schools.

Requiring ten (formerly, three) or more truant officers in cities of the first class, and one or more in cities of over 2,000 (formerly, 10,000) inhabitants. Making sheriff, undersheriff, and deputies truant officers in smaller cities, towns, and villages.

Providing for census lists, reports of attendance and nonattendance of pupils, and for procedure for enforcement of act. Providing also for compensation of truant officers and sheriffs.

Chap. 446, June 29, 1907.

1086. **Wisconsin:** Amending secs. 1 to 10, inclusive, chap. 274, Laws, 1899, as amended by chap. 182, Laws, 1901, as amended by chap. 349, Laws, 1903, and making them secs. 1728a to 1728j, Statutes, 1898, relative to child labor.

Granting to register of probate same power as officers already designated in issuance of child labor permits. Forbidding delegation of such power, and requiring that child must be able to read and write simple sentences in the English or his native language as a condition for granting permit.

Enumerating in greater detail places where children under the age of 16 years may not be employed. Making maximum number of working hours in one week fifty-five. Changing hour limits from 9 at night and 6 in the morning to 6 at night and 7 in the morning, except for children working in stores, or newsboys.

Leaving to person issuing permit decision as to physical ability of child.

Increasing minimum fine of employer violating law from $10 to $25, and providing that employer or parent may be imprisoned in county jail thirty days.

Chap. 523, July 9, 1907.

1087*. **Wyoming:** Repealing secs. 554 and 555, Revised Statutes, 1899, relating to compulsory education, and enacting substitutes.

Fixing period of compulsory attendance; children between 7 and 14 to attend school each year for the first six months during which the public schools are in session. Exceptions. Providing for enforcement by sheriffs, constables, and truant officers. Clerks of school districts to furnish officers with enumeration lists.

Chap. 93, Feb. 21, 1907.

I. SCHOOL DISCIPLINE.

The most significant legislative event of the biennium has been the decisive manner in which a number of States have acted against the so-called high school fraternity. The extent of this legislative activity is indicative of the importance that these organizations have assumed in the life of the secondary schools of certain States. Owing to the widespread interest in this legislation, it has been thought desirable to present in full several of these enactments.

(a) General.

1088. **California:** Adding section 367b to the Penal Code, providing against the offense of hazing.

"Whosoever being a student, or being a person in attendance at any public, private, parochial, or military school, college or other educational institution, conspires to haze or engages in hazing or commit any act that injures, degrades or disgraces, or tends to injure, degrade, or disgrace any fellow student or person attending such institution shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars, or imprisoned in the county jail not more than six months, or both."

Chap. 483, Mar. 22, 1907.

1089. **Colorado:** Providing for the prevention of "hazing" and other vicious practices in state institutions, and for the punishment thereof.

Requiring officers of state institutions to punish, dismiss, or expel teachers, employees, or students found guilty of hazing.

Chap. 154, Apr. 4, 1907.

D 1090. **Illinois** (1908):[a] A rule adopted by the board of education of the city of Chicago adverse to secret school societies *held* neither unreasonable nor unlawful.—Wilson *v.* Board of Education of Chicago (Ill.), 84 N. E., 697.

D 1091. **Illinois** (1908): "PER CURIAM. This was a bill in chancery filed by the plaintiffs in error in the circuit court of Cook County to enjoin the defendant in error from enforcing a rule adopted by the defendant in error known as the "antifraternity rule." A demurrer was interposed to the bill and sustained and the bill dismissed for want of equity. The decree of the circuit court was affirmed by the appellate court for the first district, and this writ of error has been sued out from this court to the appellate court to review the judgment of that court in affirming the decree of the circuit court.

"The questions raised upon this record are identical with those raised in the case of Wilson *v.* Board of Education of Chicago, 233 Ill., 464; 84 N. E., 697, and the decision in that case is decisive of this case. In accordance, therefore, with the holding of this court in that case, the judgment of the appellate court affirming the decree of the circuit court will be affirmed."

Judgment affirmed.—Favorite et al. *v.* Board of Education of Chicago, 85 N. E., 402.

1092. **Indiana**: Enlarging the powers of boards of school commissioners, boards of trustees, township trustees, superintendents of schools, and others having the government of such schools, prohibiting secret societies and fraternities, and declaring an emergency.

"SECTION 1. *Be it enacted* * * *, That the common schools of the State of Indiana, both elementary and high schools, shall be open to all children until they complete the courses of study in said common schools, subject to the authority of the teachers therein and to all the rules and regulations provided by the proper authorities for the government of such schools. It shall be unlawful for the pupils in any of the elementary or high schools of this State to form secret societies, fraternities, or other similar organizations in such schools; and the board of school commissioners or board of trustees of any school town or city, and the trustee of any school township, and the superintendent of any school, are hereby required to enforce the provisions of this act by suspending, or, if necessary, expelling a pupil in any elementary or high school who refuses or neglects to obey such rules or regulations or any of them.

"SEC. 2. An emergency exists for the immediate taking effect of this act, and it shall be in force from and after its passage."

Chap. 278, Mar. 12, 1907.

D 1093. **Iowa** (1906): Under Code, sec. 2772, authorizing school directors to make rules and regulations for the government of pupils, the board of directors of a high school had authority to prohibit pupils of such school from playing football in a game purporting to be played under the auspices of the school by a team purporting to represent the school, though the game was not played in school hours nor on or near the school grounds.—Kinzer *v.* Directors of Independent School Dist. of Marion, 105 N. W., 686.

1094*. **Kansas**: Making it unlawful for high school pupils to belong to any secret organization in any way connected with public schools.

"SECTION 1. It shall be unlawful for the pupils of any high schools to participate in or be members of any secret fraternity or secret organization whatsoever that is in any degree a school organization.

"SEC. 2. Any boards of education or board of trustees of county high schools are hereby authorized and empowered to deny to any student regularly enrolled in such high school, who shall violate section 1 of this act, any or all of the privileges of such high school or to expel such student for failure or refusal to comply with the requirements of this act.

"SEC. 3. This act shall take effect from and after its publication in the statute-book."

Chap. 320, Mar. 9, 1907.

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[a] See p. 329 for complete text of decision.

1095. **Minnesota:** Prohibiting secret fraternities and societies being formed in the public schools of the State, empowering and making it the duty of school directors to adopt rules and regulations relating thereto and to enforce the same, and making it an offense to solicit pupils to join them, and prescribing the penalty therefor.

"*Prohibits secret fraternities in the public schools.*—SECTION 1. That from and after the passage of this act it shall be unlawful for any pupil, registered as such, and attending any public high school, district, primary or graded school, which is partially or wholly maintained by public funds, to join, become a member of, or to solicit any other pupil of any such school to join, or become a member of any secret fraternity or society wholly or partially formed from the membership of pupils attending any such schools or to take part in the organization or formation of any such fraternity or society, except such societies or associations as are sanctioned by the directors of such schools.

"*Directors to establish rules and regulations.*—SEC. 2. The directors of all such schools shall enforce the provisions of section 1 of this act, and shall have full power and authority to make, adopt and modify all rules and regulations which in their judgment and discretion may be necessary for the proper governing of such schools and enforcing all the provisions of sec. 1 of this act.

"*Directors shall have power to suspend or dismiss.*—SEC. 3. The directors of such schools shall have full power and authority, pursuant to the adoption of such rules and regulations made and adopted by them, to suspend, or dismiss any pupil or pupils of such schools therefrom, or to prevent them, or any of them, from graduating or participating in school honors when, after investigation, in the judgment of such directors, or a majority of them, such pupil or pupils are guilty of violating any of the provisions of sec. 1 of this act, or who are guilty of violating any rule, rules or regulations adopted by such directors for the purpose of governing such schools or enforcing sec. 1 of this act.

"*Soliciting a misdemeanor, by persons, not pupils—municipal and justice courts to have jurisdiction.*—SEC. 4. It is hereby made a misdemeanor for any person, not a pupil of such schools to be upon the school grounds, or to enter any school building for the purpose of 'rushing' or soliciting, while there, any pupil or pupils of such schools to join any fraternity, society, or association organized outside of said schools. All municipal courts and justice courts in this State shall have jurisdiction of all offences committed under this section, and all persons found guilty of such offences shall be fined not less than two dollars nor more than ten dollars, to be paid to the city or village treasurer, when such schools are situated inside of the corporate limits of any city or village, and to the county treasurer, when situated outside of the corporate limits of any such city or village, or upon failure to pay such fine, to be imprisoned for not more than ten days.

"SEC. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

Chap. 149, Apr. 11, 1907.

1096. **Minnesota:** Prohibiting the manufacture, sale, or use of adulterated cigarettes, and prohibiting the use of tobacco by persons under 18 and by all minor pupils of the public schools.

Defining age limits, penalties, etc.

Chap. 386, Apr. 24, 1907.

1097*. **Ohio:** Abolishing fraternities, sororities, and other like societies among pupils of the public schools.

"SECTION 1. It shall be unlawful for any pupil of the public schools of the state of Ohio in any manner to organize, join or belong to any fraternity or sorority or other like societies composed or made up of pupils of the public schools.

"SEC. 2. It shall be the duty of every teacher, principal, or superintendent having knowledge or reason to believe that such fraternity, sorority, or like society is being organized or maintained in any of the schools of the state, or that any of the pupils attending said schools are organizing

or belonging to such fraternity, sorority or like society, to advise immediately the president or secretary of the board of education in charge of such schools of such facts. Upon receipt of such notice, it shall be the duty of such board of education, within thirty days after the receipt thereof, and after not less than ten days' written notice to the persons charged with violating this act, or to their parents or guardians, to investigate the charges therein contained, and if such board of education find the same to be correct and true, it shall be the duty of the secretary of such board to notify immediately, in writing, any and all pupils organizing, joining or belonging to such fraternity, sorority or like society to disband and discontinue the same and to withdraw therefrom within five days from the receipt of said notice.

"And if within such time any pupil guilty of organizing, joining or belonging to any such fraternity, sorority or like society shall fail to obey said notice, said pupil shall have violated the rules of the school and be immediately suspended from the public schools of this state by the superintendent or principal in charge of the same in cities or districts having such superintendent or principal, or by the clerk of the board of education in villages, special and township districts not having such superintendent or principal, until such pupil shall comply with the order of the board.

"SEC. 3. Any officer, teacher, principal, superintendent or other persons mentioned in this act neglecting to perform any duty imposed upon him by this act, upon conviction thereof, shall be fined not less than ten dollars ($10) nor more than twenty-five dollars ($25) for each offense.

"SEC. 4. This act shall take effect and be in force from and after the first day of July, 1908."

H. B. 1120, p. 253, Apr. 30, 1908. (July 1, 1908.)

D 1098. **Washington** (1905): Laws, 1903, p. 328, chap. 156, sec. 12, prohibiting "any person" from disturbing a public school, is sufficiently broad to include an enrolled pupil of the school disturbed.—State *v.* Packenham, 82 P., 597; 40 Wash., 403.

D 1099. **Washington** (1906): Ballinger's Ann. Codes and Stat., sec. 2334, provides that every common school shall be open to all children between the specified school ages. Sec. 2339 provides that all pupils shall comply with the regulations established for the government of the schools and submit to the authority of teachers, and sec. 2362, subdiv. 5, authorizes school directors to adopt and enforce such regulations as may be deemed essential to the well-being of the school, and subdiv. 6 authorizes them to suspend or expel the pupils who refuse to obey the rules. *Held*, that the directors of a school district had authority to deny to those pupils belonging to a secret fraternity contrary to the rules of the school participation in athletic, literary, military, and similar school organizations, constituting no part of the school work, though the meetings of the fraternity were held at the homes of the members, after school hours, and with parental consent.—Wayland *v.* Board of School Directors of Dist. No. 1, Seattle, 86 P., 642.

1100. **Wisconsin:** Creating secs. 4608v and 4608w, Statutes, 1908, prohibiting the use of cigarettes, cigars, and tobacco by persons under sixteen years of age.

Providing fine of not more than $10 or imprisonment for not more than thirty days for any person under sixteen found using tobacco in any public place when not accompanied by parent or guardian. Providing same punishment with increase to $25 for second offense, or for anyone allowing such a person to use tobacco in or upon premises occupied by him.

Chap. 463, July 1, 1907.

(b) Corporal Punishment.

D 1101. **North Carolina** (1904): Where a school-teacher exercises his judgment in whipping a pupil, the presumption is that he exercised it correctly.—State *v.* Thornton, 48 S. E., 602; 136 N. C., 610.

Within the sphere of his authority, the school-teacher is the judge as to when the correction of a pupil is required, and of the degree of correction necessary.—*Ibid.*

When the correction administered by a school-teacher is not in itself immoderate, and therefore beyond the authority of the teacher, its legality or illegality must depend entirely on the quo animo with which it is administered.—*Ibid.*

Where a school has not been well managed prior to defendant's employment as teacher, and he was specially requested to be more strict in compelling obedience to the rules, he has no more authority by reason thereof than he would otherwise have possessed.—*Ibid.*

D 1102. **Texas** (1907): The jury, in determining whether a teacher, who punished a scholar, was guilty of assault, must consider his acts and the acts of the scholar, and the teacher's guilt must not be measured alone by severity of the punishment, but by his intention in inflicting it; and if the punishment was inflicted in good faith, without intention to injure the scholar, but only to enforce the rules of the school, the teacher was not guilty, though he used more force than was necessary.—Greer *v.* State, 106 S. W., 359.

Where a teacher corrects a scholar and inflicts corporal punishment, the presumption is that the same is done in the exercise of lawful authority, and it does not devolve on the teacher to show his innocent intention; and, if the punishment is inflicted without any intent to injure the scholar, the teacher is not guilty of assault, though the punishment is more severe than necessary.—*Ibid.*

(c) Suspension and Expulsion.

1103. **Kansas**: Repealing, and reenacting with amendment, sec. 14, chap. 147, Laws, 1886, relative to county high schools in counties having a population of 6,000 or over.

Defining authority of principal over pupils and granting power to suspend such. Providing for committee to examine teachers. Prescribing qualifications of teachers.

Chap. 335, Mar. 9, 1907.

D 1104. **Wisconsin** (1908):[a] A school board has no power to require the payment of money as a condition of reinstatement of pupils under suspension.—State *v.* District Board of School Dist. No. 1 (Wis.), 232.

A school board may, under the express provisions of Stat., 1898, sec. 439, make all rules needful for the government of the school, and may suspend any pupil for noncompliance with rules made by it or by the teacher with its consent.—*Ibid.*

A pupil may be punished for misconduct, although no rule has been promulgated in regard to such conduct.—*Ibid.*

Power of school authorities to suspend pupils stated.—*Ibid.*

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[a] See p. 333 for complete text of decision.

(d) Fire Drills.

The single enactment indicated under this heading is a reminder of the greatest disaster to school children which has ever happened in this country. The compulsory fire drill will, perhaps, serve a valuable purpose, yet it will not take the place of safely and honestly constructed school buildings. The example set by Ohio in respect to these fire drills is one that will probably be followed by other States in which there is a full appreciation of the danger to which thousands of American school children are exposed each day.

1105*. **Ohio**: Providing for the protection of the lives of school children by an adequate compulsory fire drill.

"SECTION 1. It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, having an average daily attendance of fifty or more pupils, to instruct and train the pupils by means of drills, so that they may in sudden emergency be able to leave the school building in the shortest possible time and without confusion or panic. Such drills or rapid dismissals shall be held at least once for each month when said schools are in session and all doors of exit shall be kept unlocked during school hours.

"That every teacher or instructor in every public, private or parochial school shall devote not less than thirty minutes in each month during which the school is in session, to instruction of pupils between the ages of six and fourteen years, in fire dangers.

"For the purpose of such instruction it shall be the duty of the state fire marshal to prepare a book conveniently arranged in chapters, or lessons, such chapters or lessons to be in number sufficient to provide a different chapter or lesson for each week of the maximum school year, one of such lessons to be read by the teachers in such schools each week. The books shall be published at the expense of the state under the direction of the state school commissioner and shall be distributed in quantities sufficient to provide a copy for each teacher required by the provisions of this act to give the instruction herein provided for; the distribution to be made by the state school commissioner.

"SEC. 2. Willful neglect by any principal or other person in charge of any public or private school or educational institution to comply with the provision of this act, shall be a misdemeanor, punishable, each offense, by a fine of not more than twenty nor less than five dollars.

"SEC. 3. It shall be the duty of the members of school boards, school directors, trustees, or other body of persons having control of the schools of any township, town or city, to cause a copy of this act to be printed in the manual or handbook prepared for the guidance of teachers, where such manual is in use or may hereafter come in use.

"SEC. 4. The provisions of this act shall not apply to colleges and universities."

H. B. 1166, p. 231, Apr. 28, 1908.

J. HEALTH REGULATIONS.

Among the comparatively few enactments in this section are to be found several which, when taken in connection with the judicial interpretations cited, may easily be regarded as of eminently progressive rank. That of Connecticut (1120) concerning the appointment of school physicians, that of Louisiana (1121) relative to physical examination of children, that of Massachusetts (1123) relative to the appointment of school nurses in Boston, and that of

Virginia (1125) providing for the testing of the sight and hearing of pupils of public schools represent a new and growing movement to increase the effectiveness of the efforts of the public school.

The several judicial decisions cited, Arkansas (1106), Illinois (1108), Massachusetts (1111), New York (1112), North Carolina (1113), Ohio (1115), and Pennsylvania (1117, 1118), while not perhaps of wide general interest, are clearly indicative that the practice of vaccination has become firmly fixed as a part of our general American protective social policy.

The Massachusetts act (1110), adding instruction as to tuberculosis and its prevention to the prescribed list of subjects to be taught in the public schools, is classified here in spite of its very obvious misplacement.

(a) General.

D 1106. **Arkansas** (1907): A child of school age, seeking to compel the school board to admit him to a school without first complying with a rule of the board requiring a pupil before admission to the school to be vaccinated, can not complain that the rule makes a certificate of a reputable physician showing that the pupil has been successfully vaccinated conclusive evidence in favor of the pupil that he has complied with the rule.—Auten *v.* Board of Directors of Special School Dist. of Little Rock, 104 S. W., 130.

1107. **California:** Providing for the preservation of the public health, and empowering state board of health to enforce provisions, and providing penalties for violation.

Providing for the protection of schools by the exclusion of those affected with any contagious, infectious, or communicable disease.

Sec. 17, chap. 492, Mar. 23, 1907.

D 1108. **Illinois** (1908):[a] The general police powers of a city authorizing ordinances for the promotion of health or the suppression of disease do not include the passage of an ordinance making vaccination a condition precedent to the right of education.—People *v.* Board of Education of City of Chicago (Ill.), 84 N. E., 1046.

A city ordinance prohibiting any child not vaccinated within seven years from attending school *held* unreasonable and void.—*Ibid.*

1109. **Massachusetts:** Amending sec. 6, chap. 44, Revised Laws, 1902, as amended by chap. 371, Acts, 1906, relative to certificates of exemption from vaccination of children attending public schools.

Providing that physician's certificate contain statement of cause for which granted.

Chap. 215, Mar. 16, 1907.

1110. **Massachusetts:** Amending sec. 1, chap. 42, Revised Laws, 1902, relative to instruction in public schools.

Adding instruction "as to tuberculosis and its prevention" to the prescribed list.

Chap. 181, Mar. 6, 1908.

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[a] See p. 320 for complete text of decision.

D 1111. **Massachusetts** (1907): Rev. Laws, chap. 42, sec. 27, gives the school committee of a town general charge and superintendence of all public schools. Chap. 44, sec. 3, gives children the right to attend the public schools, subject to such reasonable regulations as to qualifications of pupils and other school matters as the school committee shall from time to time prescribe. Sec. 6 provides that a child who has not been vaccinated shall not be admitted to a public school except on presentation of a certificate signed by a regular physician that he is not a fit subject for vaccination. During an epidemic of smallpox a school committee enacted a regulation excluding from attendance all unvaccinated children. *Held*, that the town was not liable for excluding a pupil under such regulation, though she presented the certificate that she was not a fit subject for vaccination, as the exception contained in sec. 6 has no application when there is particular reason to apprehend danger from an epidemic of smallpox.—Hammond *v.* Town of Hyde Park, 80 N. E., 650.

D 1112. **New York** (1904): Laws, 1893, p. 1495, chap. 661, as amended by Laws, 1900, p. 1484, chap. 667, sec. 2, being sec. 210 of the public health law, excluding children not vaccinated from the public schools until vaccinated, is a health law enacted in the reasonable exercise of the police power. Judgment (Sup. 1903) 84 N. Y. S., 712, affirmed.—Viemeister *v.* White, 72 N. E., 97; 179 N. Y., 235.

D 1113. **North Carolina** (1904):[a] Rule of school board of city making a scholar's vaccination prerequisite to attendance *held* authorized, and applicable to a child, though her health would not admit vaccination.—Hutchins v. School Committee of Town of Durham, 49 S. E., 46.

1114. **North Dakota**: Providing for the creating of a public health laboratory, for the control of such laboratory, and for the appointment and duties of a director.

Laboratory to be established at the state university. Professor of bacteriology in the medical college to be director and ex officio state bacteriologist.

Chap. 238, Mar. 7, 1907.

D 1115. **Ohio** (1905): Rev. Stat., sec. 3986, empowering the board of education of any school district to make and enforce such rules and regulations to secure the vaccination of, and to prevent the spread of smallpox among, the pupils attending, or eligible to attend, the schools of the district, as in its opinion the safety and interests of the public require, is a reasonable exercise of the police power of the State, and the validity of a resolution passed by a board of education under the power thereby conferred, excluding from the public schools all children not vaccinated, or who did not furnish a physician's certificate excusing them from vaccination, does not depend upon the actual existence of smallpox in the community, nor upon an apprehended epidemic of that disease.—(1907) State *v.* Board of Education of Village of Barberton, 81 N. E., 568; 76 Ohio St., 297, affirming judgment 29 Ohio Cir. Ct. R., 375.

1116. **Oregon**: Providing for the establishment and enforcement of quarantine regulations.

Prohibiting the attendance at school of persons from quarantined places.

Sec. 7, chap. 70, Feb. 23, 1907.

D 1117. **Pennsylvania** (1906):[b] Act June 18, 1895 (P. L., 203), requiring exclusion from public schools of children who have not been vaccinated, is a valid exercise of the police power.—Stull *v.* Reber (Pa.), 419.

Act June 18, 1895 (P. L., 203), relating to vaccination of children in public schools, *held* not a violation of constitution, art. 10, sec. 1, requiring maintenance of public schools.—*Ibid.*

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[a] See p. 322 for complete text of decision.

[b] See p. 326 for complete text of decision.

Act June 18, 1895, secs. 11, 12 (P. L., 206, 207), considered and *held* that the fact that there has been no smallpox in a certain locality for forty years does not prevent application of sec. 12, excluding unvaccinated children.—*Ibid.*

Act June 18, 1895, sec. 12 (P. L., 207), excluding unvaccinated children from the public schools, *held* not a trespass on the reserved rights of an individual beyond the police power.—*Ibid.*

D 1118. **Pennsylvania** (1907): Act June 18, 1895 (P. L., 203), provides that persons in charge of schools shall refuse admission to children except on certificate of a physician that they have been successfully vaccinated or had smallpox. *Held*, that such duty is imposed upon superintendents, principals, and teachers in charge of schools, and mandamus will not lie to compel school directors to exclude a child from school who has failed to obtain a certificate.—Commonwealth *v.* Rowe, 67 A., 56; 218 Pa., 168.

1119. **Wisconsin**: Creating secs. 1413l, 1413m, and 1413n, Statutes, 1898, providing for the control of smallpox in school districts.

Requiring local board of health to prohibit attendance at school for twenty-five days of all persons not recently vaccinated whenever smallpox is present in the district. Providing for renewal of prohibition for another twenty-five days if necessary; and for payment for vaccination of children of indigent parents, or, if necessary, for free vaccination of all children.

Chap. 113, May 20, 1907.

(b) Physical Examination and Medical Inspection.

1120. **Connecticut**: Concerning the appointment and duties of school physicians.

"SECTION 1. The board of school visitors, board of education, or town school committee of any town, or the board of education or committee of any school district, may appoint one or more school physicians and assign one to any public school within the limits of such town or school district, and shall provide such school physicians, when so appointed, with proper facilities for the performance of their duties.

"SEC. 2. Every school physician so appointed shall make a prompt examination of all children referred to him as hereinafter provided, and such further examination of teachers, janitors, and school buildings as in his opinion the protection of the health of the pupils may require.

"SEC. 3. The superintendent, principal, or teacher of any school to which a school physician has been assigned as hereinbefore provided shall refer to such physician every child returning to school without a permit from the health officer or board of health, after absence on account of illness or from unknown cause, and every child attending such school who appears to be in ill health, or is suspected of being sick with any contagious or infectious disease, unless such child be immediately excluded from such school under the provisions of the general statutes or the sanitary regulations in force in said town or district; provided, that in the case of schools in remote and isolated locations the school committee may make such other arrangements as may be advisable to carry out the purposes of this act.

"SEC. 4. The school authorities of any town or school district which has appointed a school physician in accordance with the provisions of this act shall cause every child attending the public schools therein to be separately and carefully tested and examined at least once in every school year, to ascertain whether such child is suffering from defective sight or hearing, or from any other physical disability tending to prevent such child from receiving the full benefit of school work, or requiring a modification of such school work in order to prevent injury to the child or to secure the best educational results.

"SEC. 5. Notice of the disease or defects, if any, from which any child is found by such school physician to be suffering shall be given to the

parent or guardian of such child with such advice or order relating thereto as said physician may deem advisable, and whenever any child shows symptoms of any contagious or infectious disease notice shall also be given to the health officer or board of health and such child may be excluded from attendance at such school in accordance with the provisions of the general statutes or the sanitary regulations in force in the town or district.

"SEC. 6. Whenever the board of school visitors, board of education, or town school committee of any town, or the board of education or district committee of any school district shall have appointed a school physician as provided in section one of this act, said board or committee may also appoint a matron or nurse who shall take such action, under the direction of the school physician, as may be necessary for safeguarding the health of the pupils and teachers of the schools. Such matron or nurse shall also act, under the direction of the school physician, as a visiting nurse in the town or school district, shall visit the homes of pupils in the public schools, and shall assist in executing the order of the school physician.

"SEC. 7. The expenses incurred under the provisions of this act shall be paid in the same manner as are the ordinary expenses for the support of schools in the several towns and school districts."

Chap. 207, July 11, 1907.

1121*. **Louisiana:** Requiring the state board of health and superintendent of education to prepare or cause to be prepared suitable test cards, blanks, and record books, and all necessary appliances to be used in testing the sight and hearing of pupils in public schools.

Act No. 292, July 9, 1908.

1122. **Massachusetts:** Amending sec. 6, chap. 502, Acts, 1906, relative to medical inspection in public schools.

Increasing authorized annual expenditure by state board of education to $800 (formerly, $500).

Chap. 189, Mar. 10, 1908.

1123. **Massachusetts:** Relating to the appointment of nurses by the school committee of the city of Boston.

"SECTION 1. The school committee of the city of Boston shall appoint one supervising female nurse and so many district female nurses as in their opinion are necessary. The said nurses shall hold office for such terms as the school committee may determine and shall perform such duties as the committee may designate, but more particularly they shall assist the medical inspectors in their work in the public schools of the city, seeing that the directions given by the inspectors are carried out, and giving such instruction to the pupils as will promote their physical welfare.

"SEC. 2. No person shall be appointed as one of the said nurses unless she has taken a course of instruction in, and has graduated from, some hospital or similar institution giving a course of instruction in nursing at least two years in length, and has presented to the school committee satisfactory evidence that she possesses good character and health, nor unless, in addition, she shall have passed an examination given under the direction of the school committee and designed to test the applicant's training, knowledge, character, experience and aptness for the work.

"SEC. 3. To meet the expense incurred under this act the school committee of the city may appropriate, in addition to the amounts allowed by chapter four hundred and forty-eight of the acts of the year nineteen hundred and one, and in the same manner in which other appropriations for the support of the public schools of the city are made by the school committee, a sum not exceeding ten thousand dollars in the current financial year, and in each year thereafter two cents upon each one thousand dollars of the valuation upon which the appropriations of the city council of the city are based."

Chap. 357, May 3, 1907.

1124. **Massachusetts:** Repealing sec. 7, chap. 502, Acts, 1906, limiting expenditures for medical inspection in the public schools.

Chap. 412, Apr. 17, 1908.

1125. **Virginia:** Providing for the testing of the sight and hearing of pupils in public schools.

Directing state superintendent to prepare, with the advice and approval of state board of health, suitable test cards, blanks, record books, instructions, etc. Principal or teacher to make examinations. Reports to state superintendent. Appropriating $400 for 1908 and $300 annually thereafter.

Chap. 377, Mar. 14, 1908.

K. TEXT-BOOKS AND SUPPLIES.

Of the legislation grouped under the general heading of text-books and supplies, those enactments having to do with the creation and organization of special text-book commissions for the purpose of securing uniform text-books occupy the more important position. Several of the States amended in a more or less important manner existing laws with reference to these text-book commissions. Idaho (1146), Montana (1148), Nevada (1149), Oklahoma (1151), and Texas (1153) each created state text-book commissions; Missouri (1147) provided for county uniformity and the creation of a county text-book commission; Wisconsin (1154) attempted to secure county uniformity in a manner which precluded success.

The four enactments having to do with free text-books are of undoubted importance to the communities to which they apply.

The two enactments in Indiana (1128, 1129) relating to the sale of schoolbooks and the enactment in Louisiana (1132) giving preference to Louisiana text-books may be noted in passing.

(a) General.

1126. **Arizona:** Amending subdivs. 2 and 3, par. 2264 (sec. 134, chap. 18, tit. 19), Revised Statutes, 1901, relative to the time and manner of adopting text-books.

Changes to be made only in May or June, instead of in July or August. Requiring thirty instead of sixty days' notice of proposed changes. Repealing provision that no change shall be made without the recommendation of a majority of the county superintendents.

Sec. 22, chap. 67, Mar. 21, 1907. (Apr. 1, 1907.)

1127. **California:** Amending sec. 1874, Political Code, 1906, relative to the duties of state text-book committee.

Repealing provision concerning supplementary books. Modifying manner of payment for text-books for school-district libraries. Omitting provision concerning secretary of committee (already provided for by chap. 582, Statutes, 1905). Sundry minor alterations.

Chap. 515, Mar. 23, 1907.

1128. **Indiana**: Relating to sale of schoolbooks.

Requiring that contracts for schoolbooks, entered into by state board of education, shall provide for distribution and sale through local tradesmen. Maximum commission of 10 per cent.

Township trustees or board of school trustees to distribute and sell books only after failure to secure local tradesman. Governor to issue proclamation.

[See secs. 5853–5899, Burns' Annotated Statutes, 1901.]

Chap. 99, Mar. 2, 1907.

1129. **Indiana**: Relating to the sale of schoolbooks.

County superintendent to appoint some dealer or merchant to act as depository for sale and distribution of schoolbooks contracted for by state board of schoolbook commissioners. Providing for contracts, bonds, prices, discounts, payments, etc. Proclamation by governor.

[See secs. 5853–5899, Burns' Annotated Statutes, 1901.]

Chap. 273, Mar. 12, 1907.

1130. **Kansas**: Repealing and reenacting with amendments sec. 6467, General Statutes, 1901, relative to the establishment of agencies at the county seat in each county. Providing for agencies in cities of the first, second, and third classes for the handling, sale, and exchange of schoolbooks.

Chap. 68, Jan. 30, 1908.

1131. **Louisiana**: *See enactment No. 23.*

1132. **Louisiana**: *See enactment No. 73.*

D 1133. **Missouri** (1908): A majority of the patrons of a school district have no authority, after the repeal by Laws, 1905, p. 302, of Rev. Stat., 1899, chap. 154, art. 7, creating a school-book commissioner, to determine what books the children in the school shall use in opposition to the will of the teacher of the school where the directors, if possessing the power, under sec. 9764 (Ann. Stat., 1906, p. 4478), to select books, failed to do so.—State ex rel. Moore *v.* Millsap, 108 S. W., 1133.

1134*. **Ohio**: Repealing, and reenacting with amendments, sec. 5 (S. B. 249, p. 282, Laws, 1896), act of Apr. 22, 1896 (sec. 4020–14, Revised Statutes, 1905), relative to supplying the schools with good and sufficient school books at the lowest possible prices.

Making it unlawful for superintendents, supervisors, or principals to act as sales agents, directly or indirectly, of text-books. Other minor amendments.

H. B. 1052, p. 460, May 9, 1908.

1135. **South Carolina**: Amending sec. 1239, vol. 1, Code, 1902, relating to the sale of books by county superintendents of education.

Provisions of section made permissive for Newberry County.

Act No. 227, p. 481, Feb. 13, 1907.

D 1136. **South Carolina** (1906): Civ. Code, 1902, sec. 1175, providing that the state superintendent of education shall have general supervision over all the school funds and shall secure, under advice of the state board of education, uniformity in the use of text-books, and sec. 1184, conferring on the state board of education power to prescribe and enforce the use of a uniform series of text-books, and requiring publishers, in the discretion of the board, to establish in each county one or more depositories of their books within the State, do not prevent the state board of education from providing by contract with publishers of school text-books that they shall maintain at the state capital a central wholesale depository from which its agencies and county depositories may be supplied at a discount of not less than 10 per cent.—Duncan *v.* Heyward, 54 S. E., 760.

1137. **Tennessee:** Amending sec. 8, chap. 205, Acts, 1899, creating a state text-book commission, and procuring for use in the public free schools a uniform series of text-books, etc.

Providing that depositories of text-books shall only appoint agents or merchants who are citizens and residents of the county, and that said agents shall sell and exchange books only in the State of Tennessee.

Chap. 67, Feb. 12, 1907.

D 1138. **West Virginia** (1907): A publisher of schoolbooks having a contract with the schoolbook board for furnishing books can not compel the board to continue or renew its contract for five years after its expiration on the ground that the board changed books without a sufficient vote.—Ginn & Co. *v.* School Book Board of Berkeley County, 59 S. E., 177.

D 1139. **Wisconsin** (1906): Where a school board, acting without authority, orders a change in text-books, mandamus will lie to compel the granting of school privileges to a child not complying with such regulation.—Harley *v.* Lindemann, 109 N. W., 570, 129 Wis., 514.

(b) Free Text-Books.

1139a. **California:** *See enactment No. 1568.*

1140. **Connecticut:** Amending sec. 2135, General Statutes, 1902, concerning text-books and supplies.

Adding provision that upon the petition of 20 legal voters the vote to direct school officers to provide free text-books and supplies shall be by ballot.

Chap. 40, Apr. 17, 1907.

1141*. **Maryland:** Amending in a minor manner sec. 67, art. 77, Public General Laws, 1904, relative to annual state appropriation of $150,000 for text-books.

Chap. 635, p. 227, Apr. 6, 1908. (Aug. 1, 1908.)

1142. **New York:** Providing for free text-books in the public schools of the city of Schenectady.

Text-books to be furnished free of expense to all pupils of the public schools only after submission of question to electors.

Chap. 174, Apr. 19, 1907.

(c) Uniformity of Text-Books.

1143. **Alabama:** Amending sec. 22, act No. 312, p. 474, Laws, 1903, creating a state text-book commission and providing for a uniform series of text-books.

Exceptions to act in case of counties having previously adopted a uniform system of text-books limited to Sept. 1, 1908.

Act No. 312, p. 474, July 11, 1907.

1144. **Alabama:** Creating a text-book commission and procuring for use in public schools a uniform series of text-books; defining duties and powers of said commission; making appropriation for carrying the act into effect; and providing for penalties for violations.

Reenacting with numerous amendments act No. 164, p. 167, Laws, 1903.

Act No. 778, p. 762, Aug. 13, 1907. (Secs. 1805–1850, Code, 1907.)

D 1145. **Alabama** (1904): The provisions of the uniform text-book law (act Mar. 4, 1903, p. 167), being germane and complementary to the subject expressed in the title, constitution, art 4, sec. 45, requiring every law to contain but one subject, which shall be clearly expressed in the title, is not contravened thereby.—Dickinson *v.* Cunningham, 37 So., 345, 140 Ala., 527.

1146*. **Idaho**: Providing for the appointment of a state board of text-book commissioners for the purpose of selecting a uniform series of text-books and making contracts for same; defining duties of said board of text-book commissioners and making an appropriation for carrying out the purposes of the act.

Providing for the appointment of a board of text-book commissioners consisting of seven members, one of whom shall be the state superintendent of public instruction. Prescribing organization, powers, and duties of board.

S. B., No. 84, p. 476, Mar. 14, 1907.

1147*. **Missouri**: Creating a county text-book commission, providing for county uniformity and city adoptions, licensing school text-book publishers, regulating prices of school text-books, prohibiting changes of text-books oftener than once in five years, providing for the sale of books to pupils at cost, preventing loss to families that move, prohibiting combinations of publishers of school text-books, and providing penalties for violations.

"SECTION 1. There is hereby created a county school text-book commission, which shall be the county board of education, in all counties in which such a board exists. In counties where there is no county board of education the school text-book commission shall consist of the county superintendent of schools and two teachers, who shall be selected in the same manner and at the same time as the two members of the county board of education that are appointed in those counties that have a county commissioner of schools: *Provided*, that no person shall be appointed to serve on the said commission who has been in the employ, as a traveling salesman or otherwise, in this state, of any publisher of school text-books within the period of two years prior to this act. Vacancies on the commission resulting from death, resignation, removal from the county, disqualification, or otherwise, shall be filled as prescribed by law. A majority of the commission shall constitute a quorum for the transaction of all business of the commission.

"SEC. 2. The county text-book commission shall meet at the county seat to organize within thirty days from the date of the taking effect of this act. The county superintendent or county commissioner(s) shall be ex-officio president of the commission, and a secretary shall be elected from its own membership. Said commission shall meet annually thereafter, and special meetings may be called by the president, or on the written request of the other two members. The president shall preside at all meetings of the commission, and the secretary shall keep the records of the meetings, and all contracts shall be signed by both the president and secretary. Members of said commission that do not receive an annual salary from the county shall receive five dollars per day for their services, with such additional amount as shall be necessary to cover their actual traveling expenses: Provided, that they shall receive pay for not to exceed six days in any one year, the same to be audited and paid by the county court.

"SEC. 3. Said commission shall adopt from the authorized state list, as hereinafter provided, a uniform series of text-books for use in the schools of all the districts of the county, except that in cities having more than one thousand children of school age, as shown by the last enumeration, and in towns having high schools affiliated with the state university, the board of directors of said cities and said towns may select from the aforesaid list such books as in their opinion are best suited to the local conditions, and may contract for the same.

"SEC. 4. Before the publisher of any school text-book shall offer the same for sale to any county text-book commission or board of school directors in the state of Missouri, said publisher shall file a copy of said

text-book in the office of the state superintendent of public schools with a sworn statement of the list price and the lowest net price at which said book is sold anywhere in the United States under like conditions of distribution. Said publisher shall file with the state superintendent a written agreement to furnish said book or books to the county text-book commissions or boards of directors of Missouri at the price so filed. Said publisher must further agree to reduce such prices in Missouri if reductions are made elsewhere in the country, so that at no time may any book be sold in Missouri at a higher price than is received for the same book elsewhere in the country where like methods of distribution prevail. Said publisher shall further agree that all books offered for sale in Missouri shall be equal in quality to those deposited in the office of the state superintendent as regards paper, binding, print, illustration and all points that may affect the value of said books.

SEC. 4a. Before the publisher of any school text-book shall offer the same for sale to any county text-book commission or board of school directors in the state of Missouri, and at the time of the filing of such text-book in the office of state superintendent of public schools, said publisher shall pay into the treasury of the state of Missouri a filing fee of ten dollars for each book offered by said publisher. A series of books by the same author and upon the same subject shall constitute one book for this purpose. The fees thus received shall constitute a fund out of which upon requisition made by the state superintendent of public schools shall be paid the expenses of publishing lists and other information for the use of the county school text-book commissions, clerk hire and other necessary expenses in connection with the filing of all text-books submitted for adoption in the state of Missouri. Any balance remaining in such fund shall be, upon the first of January of each year, placed to the credit of the general revenue fund of the state.

"SEC. 5. To insure compliance with the aforesaid conditions under which school text-books may be sold in the state of Missouri, said publisher shall file with the state superintendent a bond of not less than two thousand dollars nor more than ten thousand dollars, said bond to be approved by the state superintendent and the amount to be fixed by him; upon compliance with this and the preceding section, said publisher shall thereupon be licensed to sell school books in this state.

"Sec. 6. If in any case said publisher shall furnish books inferior in any particular to the samples on file with the state superintendent, or shall require higher prices than those listed with the state superintendent, then it shall become the duty of the county text-book commission, or board of directors, to inform the state superintendent of the failure of said publisher to comply with the terms of his contract. The state superintendent shall thereupon notify the publisher of said complaint, and, if said publisher shall disregard the notification and fail to immediately comply with the terms of his contract, then the state superintendent shall institute legal proceedings for the forfeiture of the bond of said publisher.

"SEC. 7. During the month of April, 1907, and thereafter annually, during the month of January, it shall be the duty of the state superintendent to furnish each county superintendent or county commissioner with a list of publishers who shall have conformed to the requirements hereinbefore set forth relating to sample books, prices and bond.

"SEC. 8. Before seeking to enter into contract with any county text-book commission, or board of directors, for the schools covered by this act, the publisher shall furnish the county superintendent or county commissioner or secretary of the board of directors with a duplicate printed list of the books and prices filed with the state superintendent. When any book or series of books in such list shall have been adopted by the county commission or by the board of directors in said county, it shall be the duty of said publisher of said book or books to furnish each county superintendent or county commissioner with a sample of the same, to remain in the office of said county superintendent or county commissioner, and to be the property of said county.

"SEC. 9. The county text-book commissions are hereby empowered to adopt text-books for all subjects that may be taught in the public schools of their respective counties, and to enter into contract for the same for a period of five years in the manner hereinafter provided. All books adopted by the county commission shall be used exclusively in the schools

of the county, except in such towns and cities as are exempt in section 3 of this act; and, further, except that all books introduced into the public schools since May 1, 1905, either through the action of boards of directors or on the recommendation of county superintendents or county boards of education, may be continued in use for a period of five years from the date of the introduction of said books: Provided, that publishers of said books shall comply with all the requirements of sections 4 and 5 of this act prior to August 1, 1907.

"SEC. 10. Said commissions shall make no changes until they shall have advertised for bids for at least two successive weeks in one or more county papers, and the adoption of such books shall not be made until the expiration of at least fourteen days from the date at which such advertisement first appeared. Such advertisement shall specify subjects in which changes will be considered and the probable number of books of each kind required.

"SEC. 11. In selecting books the text-book commission shall carefully consider the price, character of the subject matter, binding, illustrations, print and paper, the adaptability to local conditions, and all points that affect the value of the book.

"SEC. 11a. In all counties where the county court does not elect to purchase text-books and sell the same to pupils at cost, as hereinafter provided, the publisher making contracts under this act shall sell and furnish to all dealers or merchants of said county, or to dealers or merchants in contiguous territory, all adopted text-books at the net contract price. No dealer shall sell said books at more than fifteen per cent advance on said net contract price.

"SEC. 12. When any county text-book commission or board of directors shall adopt books and enter into contracts with the publishers thereof such contracts shall provide a reasonable exchange price for the books displaced by adoption.

"SEC. 13. Any teacher or school director who, within eight months after the county board of education shall have adopted a list of text-books for such county, shall sanction or permit the use of any book not in accordance with the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars no(r) more than one hundred dollars. If any county text-book commission or board of directors shall attempt to change any text-book before the expiration of a contract for the same, made under this act any member of such commission or board, who votes for such unlawful change, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars. Any publisher, or agent of said publisher, who shall connive at or seek to procure such unlawful change, shall be guilty of a misdemeanor, and subject to a like penalty.

"SEC. 14. Nothing in this act shall be construed to prevent the use of supplementary books as shall be furnished at the expense of the school district, provided such supplementary books shall not displace books regularly adopted under the provisions of this act.

"SEC. 15. The boards of directors of each school district shall have authority to purchase all necessary books for indigent pupils and pay for the same out of the incidental funds of the district.

"SEC. 16. Boards of directors of cities and towns exempt from county uniformity under section 3 of this act, who may not accept county uniformity, may adopt and contract for books from the state list under the same restrictions and in the same general manner as herein provided for the adoption of books by the county text-book commission.

"SEC. 17. When any publisher of school text-books shall file with the state superintendent the samples and lists provided for in section 4 of this act, said publisher at the same time shall be required to file a sworn statement that he has no understanding or agreement of any kind with any other publisher, or interest in the business of any other publisher, with the effect, design or intent to control the prices on such books or to restrict competition in the adoption or sale thereof.

"SEC. 18. Before being licensed to sell school text-books in this state, the publisher thereof shall file with the state superintendent of public schools a sworn statement, showing the ownership of such publishing house with interest, names and addresses of such owners, and specific-

ally stating whether or not the said publisher, or the owner of any interest or shares in such publishing house, is the owner of any interest or shares in any other publishing house and if so giving the name and address thereof.

"SEC. 19. If at any time any publisher shall enter into any understanding, agreement or combination to control the prices or to restrict competition in the adoption or sale of school books, or if the statements required of said publisher by the two preceding sections shall be untrue in any respect then the attorney-general shall institute and prosecute legal proceedings for the forfeiture of the bond of said publisher and for the revocation of (his) authority to sell school books in this state, and all contracts made by said publisher under this act shall thereupon become null and void at the option of the other parties thereto.

"SEC. 20. Any publisher who shall sell, or offer for sale or adoption in this state, school text-books of any kind without first obtaining license therefor under this act, shall be guilty of a misdemeanor, and, upon conviction shall be fined not less than five hundred dollars, and not more than five thousand dollars.

"SEC. 20a. Any member of any county board of education who shall accept or receive any money, gift or any property, or favor whatsoever, from any person, firm or corporation selling or offering for sale any text-books, or any agent thereof, or from any person in any way interested in the sale of text-books, shall, upon conviction, be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

"SEC. 21. All acts or parts of acts in conflict with this act are hereby repealed.

"SEC. 22. There being no law, now providing for the selection and adoption of text-books creates an emergency within the meaning of the Constitution; therefore this act shall take effect and be in force from and after its passage."

(Appropriating $4,000 for expenses, sec. 70a, H. B. No. 34, p. 16, May 13, 1907.)

P. 434, Mar. 19, 1907.

1148. **Montana:** Creating a state text-book commission, for the purpose of adopting and maintaining a uniform series of text-books for the public schools; regulating the price of the same; defining the duties and powers of said commission; and making an appropriation.

Commission to consist of seven members appointed by governor. Adoptions to be made for five years. Prescribing conditions of contracts and agreements. Free text-books.

Chap. 132, Mar. 7, 1907.

1149. **Nevada:** Creating a state text-book commission and authorizing the commission to adopt a uniform series of text-books for the public schools of the State.

Chap. 112, Mar. 22, 1907.

1150. **North Carolina:** Amending sec. 4063, chap. 85, Revisal, 1905, relative to text-book commission.

Providing for the payment of per diem of $4 per day, not to exceed thirty days, and payment of expenses of members of subcommission.

Sec. 1b, chap. 835, Mar. 9, 1907.

1151. **Oklahoma:** Carrying into effect sec. 6, art. 13, of constitution by creating a text-book commission for the purpose of preparing for use in the common schools of the State a uniform system of text-books, registers, records, and school apparatus; defining the duties of bidders and certain officers and prescribing penalties for violations.

"SECTION 1. There is hereby created a commission to be composed of seven members, to be known as the 'Text-Book Commission,' consisting of the governor and six other persons of recognized ability, residents of this State, a majority of whom shall be experienced educators, who shall be appointed by the governor and approved by the senate, to serve for

a term of five years and until their successors are appointed and qualified, unless sooner removed. Any vacancy occurring upon the commission from any cause shall be filled by appointment by the governor as in the first instance. A majority of said commission shall constitute a quorum for the transaction of all business of the commission. Before transacting any business relating to the duties of the commission, they shall each, in addition to the oath prescribed by the constitution, take an oath before some person authorized to administer same, to faithfully discharge all the duties imposed upon them as members of the Text-Book Commission and that they have no interest, directly or indirectly, in any contract that may be made under this act, and will receive no personal benefit therefrom, that they will examine all books submitted carefully and faithfully, as herein directed and prescribed, and said oath shall be filed in the office of the secretary of state. The secretary of said commission shall keep a correct record of all proceedings, votes and actions of the commission, which said records shall be deposited in the office of the secretary of state, at the time when said commission is not in session. All votes upon any proposition submitted to the commission shall be yea and nay, and recorded in the journal of the day's proceedings. No person shall be appointed to serve on said commission who has been in the employ, directly or indirectly, as traveling salesman, or otherwise, for any publisher of school text-books.

"SEC. 2. The Text-Book Commission shall be called together by the governor, within thirty days after the passage and approval of this act, and said commission is hereby empowered to select and adopt a uniform system or series of school text-books, registers, records, maps, charts, globes, and other school apparatus, for use in all the common schools of Oklahoma, and the series so selected shall include all the studies taught in the common schools of the State up to and including the twelfth grade.

"Provided, that none of said text-books shall contain anything of a partisan or sectarian character. Each bidder presenting books for adoption shall state at what price the books are offered, as basic books, and as supplementary books;

"Provided, that the commission may adopt supplementary readers, but such readers shall not be used to the exclusion of basic readers. The duly constituted authorities in charge of any private school, or other educational institution, desiring to use any of the books selected by said commission in such school shall have the privilege of buying said books at the same price and on the same terms at which they are furnished to the common schools.

"SEC. 3. As soon as practicable, at the time fixed in the notice and in such manner as the commission may deem best, the commission shall advertise for at least thirty days, for sealed bids on proposals from publishers of said text books for furnishing books, registers, records, and apparatus to the common schools of this State as heretofore provided. The bids or proposals shall be for furnishing the books, registers, records, and apparatus for a period of five years, commencing August first, nineteen hundred eight. Each bid shall state specifically and clearly the retail price at which each book, register, record and apparatus shall be furnished. Each bid or proposal shall be accompanied with specimen copies of each and all books offered in said bid, which specimen copies of books shall be sent, by express or mail to the governor, and it shall be required that each bidder deposit with the treasurer of the State of Oklahoma, such sum of money as the commission shall require, not less than five hundred dollars nor more than twenty-five hundred dollars, according to the value of the books, registers, records, and apparatus, each bidder may propose to supply. Such deposit shall be forfeited to the State if such bidder so depositing shall fail to make and execute such contract and bond as provided in this act within such time as the commission may require, which time shall be specified in the notice advertised. Each bid shall be accompanied with a sworn statement, showing the ownership of such publishing house, with the interest, names and addresses of such owners and specially stating whether or not the said publishers or the owners of any interest or share of any such publishing house is the owner of any interest or share of any other publishing house, and if so, give the name and address thereof and further state in said affidavit that no member of the commission is in any manner inter-

ested, directly or indirectly, in such firm or corporation submitting such bid. If the fact shall be disclosed that any member of the commission is so interested, it shall work a disqualification of such member of the commission, and he shall not be permitted to serve on such commission, or if it should further appear or be disclosed that a member of the commission is interested in any book or series of books as the author or associate author or that any member of the commission is interested in any such book or series of books in any manner, such fact shall likewise work a disqualification of such member and he shall not be permitted to serve on the commission. Each member of the commission, after a called session of the commission, at which any books are adopted shall make out and file with the secretary of state an affidavit that he is not, and has not been, directly or indirectly interested in or related to any publishing house, person, firm or corporation submitting any book, register, record, manuscript, or school apparatus for adoption, or in any book, register, record, manuscript, or school apparatus offered for adoption, nor is he related to any person or agents representing such house, person, or firm or corporation, and that he will not accept any position as agent or representative of any person, firm, or corporation to whom any contract may be awarded by said commission during the term and duration of said contract, and that he is not related to any person, or agents, representing such house, firm or corporation. Any contract entered into under the provisions of this act with any publishers who may hereafter become a party to any combination or trust for the purpose of raising the price of school text books, registers, records or school apparatus used in this State, at the wish of the commission, shall become null and void.

"SEC. 4. All bids shall be sealed and deposited with the chairman of the commission, to be by him delivered to the commission in executive session for the purpose of considering the same. When any person, firm or corporation has been awarded a contract and the contract and bond required has been filed with the commission, it shall make an order on the treasurer of the State, reciting such fact, and thereupon the treasurer shall return the deposit of such bidder, but if any successful bidder shall fail to make the contract and bond as heretofore provided, the treasurer shall place the deposit of such bidder in the state treasury to the credit of the available school fund, and the commission shall re-advertise for other bids to supply such books or school apparatus which said bidders may have failed to supply. All unsuccessful bidders shall have their deposits returned to them as soon as the commission has decided not to accept their bids. All books adopted by the commission shall be printed in English, except such text-books as may be adopted for the teaching of any foreign language. The commission shall stipulate in the contract that where a change shall have been made from the books now in use in this State, the contractor or contractors shall take in exchange the respective books and receive the same in exchange for new books at a price not less than fifty per cent of the contract price. Such exchange period shall not continue longer than one year from the date of contract.

"SEC. 5. The bidder or bidders to whom any contract may have been awarded shall make and execute a good and sufficient bond payable to the State of Oklahoma in the sum of not less than ten thousand dollars to be approved by the governor, such bond to be conditioned that the contractor or contractors shall faithfully perform all conditions of the contract. The contract and bond shall be prepared by the attorney-general and shall be made to conform with all the requirements of this act, and shall be payable in the county where the seat of government of this State is located, which shall be deposited in the office of the secretary of state. The bond shall not be exhausted by a single recovery thereon but may be sued upon from time to time until the full amount thereof is recovered, and the commission may, after twenty days notice, require a new bond to be given, and in the event the contractor or contractors shall fail to furnish such new bond, the contract of the contractor or contractors may, at the option of the commission, be forfeited.

"SEC. 6. It shall be the duty of the commission to meet at the time and the place mentioned in the notice and advertisement and it shall adopt such rules and regulation as may be necessary to the transaction of its business not contrary to the provisions of this act, and shall then

and there open and examine the sealed proposals received, and it shall be the duty of the commission to make a full and complete investigation of all books, registers, records and school apparatus and bids accompanying the same. Each person, company, or corporation submitting bids or proposals shall be permitted to file a written statement as to the merits of any book or books, register, record, or school apparatus offered by such bidder, or they may be permitted to appear in person, or by a duly authorized agent, before said commission, and the party so appearing or representing the claims of any bidder, shall deposit with the commission his proper credentials or authority to represent such bidder. Every person who appears before the commission in advocacy of the adoption or rejection of any book, register, record, manuscript, or any school apparatus shall file an affidavit showing fully in what capacity he appears and whether he is representing as agents or otherwise, any bidder or whether he has received or has a contract to receive pay for his services in appearing before said commission;

"Provided, that no state official of this State shall be allowed to appear as the agent or representative of any text-book company, firm or corporation.

"SEC. 7. The literary merits and historical accuracy of all books shall be the main point to be considered in their adoption, and the books shall be selected after a careful examination and consideration of all the books presented, and books selected shall be those which, in the opinion of the commission, are most acceptable for use in the various schools of the State, quality, mechanical construction, paper, print, price, authorship, and any other relevant matter being given such weight in making its decision as the commission may deem advisable;

"Provided, that books by Oklahoma authors shall have preference, merit and price being equal. The commission shall proceed without delay to adopt, for use in the common schools of this State, text-books in the schools hereinbefore mentioned, and shall notify publishers to whom contracts are awarded. Each contract shall be duly signed by the publishing house or its authorized officers or agents, and if it is found to be in accordance with the award and all of the provisions of this act, and if the bond herein required is presented and duly approved, the commission shall approve said contract and order it to be signed on behalf of the State by the governor. All contracts shall be made in duplicate and one copy shall remain in the custody of the secretary of state and be copied in full in the minutes of the meeting of the commission in a well bound book, and the other copy to be delivered to the publisher or agent thereof. All the books, registers and records furnished under such contract shall be equal in all respects to the specimen or sample copies furnished with the bids; and it shall be the duty of the state superintendent of public instruction to preserve in his office, as the standard of quality and excellence to be maintained in such books, registers and records, during the continuance of such contract, the specimen or sample copies of all books, registers and records which have been the basis of any contract, together with the original bid and proposal. The contract and exchange price of each book shall be plainly printed on the back of each book, together with the following notice:

"'The price marked hereon is fixed by the State, and any deviation therefrom should be reported to the state superintendent of public instruction.'

"SEC. 8. The commission shall not, in any case, contract with any publisher of any book or books, registers and records, or any person, firm or corporation, submitting bids for furnishing charts, maps, globes or other school apparatus to be used in the common schools in this State, at a price in excess of the lowest price at which such publisher or bidders furnishes and distributes the same book or books, registers, records or school apparatus under contract with any other state, county or school district in the United States, under like conditions of distribution.

"SEC. 9. The publishers or bidders shall file with each proposal a sworn statement of the lowest price at which each book, chart, map, globe or other apparatus offered is sold anywhere in the United States, under like conditions of distribution. Said publishers or bidders must further agree to reduce the price of any book or apparatus adopted by

the commission, if reductions are made below such contract price anywhere in the United States, so that at no time may any book or apparatus be sold in Oklahoma at a higher price than is received for the same book, register, record or apparatus elsewhere in the United States where like conditions of distribution prevail.

"SEC. 10. Any publisher, person, firm or corporation submitting bids, or agent of such publisher, person, firm or corporation, who shall connive at or seek to procure a change of the series of text-books, registers, records or any school apparatus by the commission before the expiration of the period in which a uniform system of text-books is established in this State, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars and not more than one hundred dollars for such offense.

"SEC. 11. It shall be unlawful for any teacher, trustee or school board of any common school in this State to purchase or contract for any chart, map, globe or other school apparatus, unless the same shall have been submitted to the text-book commission of this State at a regular or special session, and by them approved and a maximum price thereof fixed by said commission.

"SEC. 12. Any person who shall sell to any teacher, trustee or school board of any common school of this State, any chart, map, globe or other school apparatus, which have not been approved by the text-book commission of this State, and any person who shall request or endeavor to persuade any such teacher, trustee or school board, or any member thereof, to purchase any chart, map, or globe or other school apparatus, the sale of which is hereby prohibited, shall be deemed guilty of a misdemeanor and liable to a fine of not less than fifty nor more than two hundred dollars.

"SEC. 13. It shall be a part of the terms and conditions of every contract made in pursuance of this act that the State of Oklahoma shall not be liable to any contractor thereunder for any sum whatever, but all such contracts shall receive compensation solely and exclusively from the proceeds of the sales of school books as provided in this act, and it is hereby provided that the State shall have the right to terminate said contract whenever the law is repealed or amended, altered or qualified as to make necessary or expedient that such contract should be revoked, or as to such book or books, registers and records as may be published by or at the cost of the State;

"Provided, further, that the commission shall have the power, by a majority vote, to discontinue the use of unsatisfactory books, registers and records at the end of any school year during the continuance of this contract, and to make another adoption, and all contracts shall contain a stipulation to that effect. The State may, at its election, cancel any contract entered into by virtue of the provisions of this act for fraud or collusion upon the part of either party to the contract or any member of the commission, or any person, firm, corporation or their agents making said bond or contract; and for the cancellation of any such contract, the attorney-general is hereby authorized to bring suit in any court of competent jurisdiction in the State, and in case of the cancellation of any contract as provided in this act, the damages are fixed at not less than the amount of said bond to be recovered as liquidated damages in the same suit cancelling such said contract. And on account of the difficulty in determining the damage that might accrue by reason of such fraud and cancellation of such contract, the full amount of the bond given by any contractor shall be considered as liquidated damages to be recovered out of said bond by the State at the suit of the attorney-general, and every contract shall contain a clause to this effect.

"SEC. 14. The text-book commission shall have and reserve the right to reject any and all bids or proposals if said commission be of the opinion that any or all bids should, for any reason, be rejected; and in case they fail, from among the bids or proposals submitted, to select any book or books, registers, records and apparatus upon any of the branches of study provided for in this act, they may advertise for sealed bids or proposals under the same terms and conditions as before, and proceed in their investigation in all respects as they did in the first instance and as required by the terms and provisions of this act.

"SEC. 15. The party or parties with whom the contract shall be made shall place their books, registers, records and school apparatus on sale at as many places in each county of the State as the commission may direct for the distribution of the books to the patrons, and the contractor shall be permitted to make arrangements with the merchants or other persons for the handling and distribution of the books. All books shall be sold to the consumer at the retail price fixed by the commission. Upon the failure of any contractor, under the provisions of this act, to furnish the books, registers, records or apparatus as provided in this contract, the county superintendent of public instruction of such county shall immediately report the fact to the attorney-general, and he shall bring suit on account of such failure, in the name of the State of Oklahoma, in any court of competent jurisdiction in the State, and shall recover on the bond given by such contractor for the full value of the books, registers, records and apparatus not furnished as required, and in addition thereto the sum of one hundred dollars, and the amounts so recovered shall be placed to the credit of the available school fund of the State.

"SEC. 16. As soon as the State shall have entered into the contract for furnishing of the books and apparatus for use in the common schools of this State, under the provisions of this act, it shall be the duty of the governor to issue his proclamation of such fact to the people of the State, and immediately thereafter the state superintendent of public instruction shall address a circular letter to the county superintendents, trustees and school boards of the various schools of the State, which circular letter shall contain a list of the books, registers, records and apparatus adopted, with their respective prices, together with such other information as he may deem advisable.

"SEC. 17. If any local agent, dealer, clerk or other person handling or selling the books, registers, records, maps, charts, globes or other apparatus adopted under this act, shall demand or receive for a copy of any of the books, registers, records, or for any chart, map, globe or other apparatus adopted under this act, more than the contract price, he shall be guilty of a misdemeanor, and upon conviction shall, for each offense, be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

"SEC. 18. The trustees and school boards of the various schools of the State using books, registers, records and apparatus adopted by the commission shall hold annual meetings and make an estimate of the number of school text-books, registers, records and apparatus needed in said school for the term next commencing therein, and a report thereof shall be made to the county superintendent of public instruction in said county immediately, and not later than the first day of August next thereafter, and the county superintendent shall, as soon as possible, and not later than the tenth day of August of each year, and oftener, if the necessity of a school requires it, make out his requisition from the report so received, and from any other source, and send it to the state superintendent, when such books are printed by the State or the school book publisher or publishers having contracts under the provisions of this act, stating therein the number of books, registers, records and apparatus of each kind needed for the schools of his county.

"SEC. 19. The books and apparatus adopted by the commission under the provisions of this act, shall be introduced and used as text-books, registers, records and apparatus to the exclusion of all others in the common schools of this State as hereinbefore provided, but nothing in this act shall be construed to prevent or prohibit the patrons of the common schools in the State from procuring books, registers, records and apparatus in the usual way in the event that the State does not publish such books, registers, records, or manufacture such apparatus, in the event that no contracts are made, or in the event that the contractor or contractors fail or refuse to furnish the books, registers, records or apparatus provided for in this act, at the time that said books or apparatus are required for use in the schools.

"SEC. 20. Any school trustee who shall prevent or aid in preventing the use in any common school in this State of the books, registers, records and apparatus, or any of them, as adopted under the provisions of this act, or any teacher in this State who shall wilfully fail or refuse to use

the books, registers, records and apparatus adopted under the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined any sum not less than twenty-five dollars nor more than fifty dollars for each offense, and each day of such wilful failure or refusal of said teachers or wilful prevention of the use of the books, registers, records or apparatus by said school trustee, shall constitute a separate offense.

"SEC. 21. The commission may, from time to time, make any necessary regulations, not contrary to the provisions of this act, to secure the prompt distribution of the books, registers, records and apparatus herein provided for and for the prompt and faithful execution of all contracts; and it is now expressly provided for that said commission shall maintain its organization during the continuance of the contracts to be entered into during the year nineteen hundred and eight, and after the expiration of same, to reorganize the commission for a period of five years as in the first instance, and enter into such other contracts in pursuance of this act as they may deem for the best interests of the patrons of the common schools of the State: *Provided*, That said commission shall be discontinued at such time when the efficiency for the publication of such books, registers and records provided for in this act, by the State, makes the continuance of said commission unnecessary.

"SEC. 22. If, when the proposals to furnish text-books are submitted to the text-book board, it shall appear that publishers have combined upon prices and that the proposals are unreasonable, said board is hereby empowered, with the approval of the state board of education, to do any and all acts that may be necessary for the purpose of procuring a meritorious uniform system of text-books, registers and records for use in the common schools of Oklahoma. They may, with the approval of the state board of education, offer prizes for manuscripts of books or employ suitable persons to prepare or compile the same, and contract with printing concerns for publication, purchase or hire plates, maps and engravings of copyright matter; contract for or lease copyrights for the purpose of being used in compiling and printing such books, provide for the payment of royalties or for the leasing of plates for printing of the whole or any part of said books. Provided, that the entire cost of any book or books so furnished shall not exceed the price of any standard book or books of like character which was proposed to be furnished by publishers.

"SEC. 23. An itemized statement of all necessary expenses of the commission, together with a sworn itemized statement of the necessary expenses of the individual members of the commission, shall be filed with the secretary of state, and the members thereof shall be allowed to receive as their only compensation for their services, the sum of six dollars per day while on duty, and their actual traveling expenses going to and returning from the place of meeting, to be paid by the state treasurer, under the direction and approval of the governor; provided, that no per diem shall be allowed to any member of the commission who shall, at the time of service thereof, be receiving a stated salary from the State; provided further, that the members of said commission shall not draw pay during the year nineteen hundred eight for more than thirty days, nor more than ten days for any following year.

"SEC. 24. It shall be unlawful for any member of the text-book commission to accept as a gift, or at a reduced price, any books, registers, records or school apparatus or anything of value from any person, firm or corporation interested, directly or indirectly, in any bid filed with said commission or in the adoption of any book, register, record or apparatus by said commission, and any person violating this section of this act shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and by imprisonment in the county jail not less than thirty days.

"SEC. 25. The words 'common schools,' as used in this act, shall be construed to mean all the schools of this State receiving aid from the State out of the common school fund.

"SEC. 26. Any nonresident person or firm or foreign corporation with whom a contract has been entered into under the provisions of this

act, shall designate the secretary of state of Oklahoma as its or their agent on whom citation and other writs and process may be served, in the event that any suit shall be brought against such person, firm or corporation.

"SEC. 27. The sum of twenty-five hundred dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of carrying into effect the provisions of this act.

"SEC. 28. All acts and parts of acts in conflict with this act be, and the same are hereby repealed.

"SEC. 29. For the preservation of the public peace and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in force from and after its passage and approval."

Chap. 77, H. B. 331, p. 680, May 18, 1908.

1152. **South Dakota**: *See enactment No. 100.*

1153. **Texas**: Creating a state text-book board and procuring for use in the public free schools of the State for a period of five years, beginning Sept. 1, 1908, a series of uniform text-books, defining the duties of certain officers named, making appropriation therefor, defining certain misdemeanors, providing for a bond for the faithful performance of contracts and to cover liquidated damages for fraud or collusion, and authorizing the atttorney-general to bring suit therefor, and providing penalties for violation of the provisions of this act.

Chap. 9, May 14, 1907 (sp. sess.).

1154. **Wisconsin**: Creating secs. 553m—1 to 553m—25 inclusive, Statutes, 1898, providing for county uniformity in school text-books and for a county board of education in each county.

Providing for submission of question of county uniformity to annual county school-board convention (chap. 105, Laws, 1905), vote of majority of districts to determine. Providing for the election, qualifications of members, organization, and proceedings of a county board of education to select and adopt uniform series of text-books. Prohibiting changes of any book within five years of time of adoption. Authorizing adoption of supplementary books.

Exempting cities and districts maintaining a free high school and all state graded schools of the first class from using prescribed books unless so desired. Exempting districts having adopted the free text-book system from using prescribed books until some change is made in books used therein.

Chap. 561, July 10, 1907.

L. SUBJECT-MATTER OF INSTRUCTION.

It is difficult to classify with great accuracy the legislation affecting in a definite way the content of the instruction given in the public schools. This is especially true with those enactments having to do with the establishment of elementary or secondary technical and industrial courses or schools. Of the enactments of a general nature the following may be mentioned as deserving of especial attention: California (1155), relative to postgraduate courses of study in grammar schools; Idaho (1156), providing for uniform eighth-grade examinations; Utah (1160), creating a "state school committee;" and Vermont (1162), providing for instruction in special subjects.

Of the remaining enactments in the group, the following may be specially mentioned: Rhode Island (1169), Utah (1173), Massachusetts (1170), Arkansas (1176), California (1177), Texas (1178), Virginia (1180), and Wisconsin (1181).

(a) General.

1155*. **California**: Adding sec. 1779 to Political Code, 1906, relative to grammar grade postgraduate course of study in public schools.

Permitting the establishment of such courses of study requiring one or more years for completion.

Chap. 67, Mar. 1, 1907.

1156*. **Idaho**: Providing for a final, uniform, eighth-grade examination which shall admit pupils to the first year of the high school, and prescribing rules and regulations.

Questions to be prepared under the direction of the state superintendent of public instruction. Defining conditions of passing. Eighth-grade diploma necessary for entrance to high school.

S. B. No. 120, p. 168, Mar. 12, 1907.

1157. **Illinois**: Amending sec. 3, p. 379, Acts, 1905, providing normal-school scholarships for graduates of the eighth grade.

Changing time of holding annual examination from second Saturday of May to any Saturday between the 1st of March and the 15th of May.

H. B. 332, p. 523, Apr. 19, 1907.

1158. **Montana**: Creating a county board of educational examiners, providing for their appointment, fixing their compensation, and prescribing their qualifications and duties.

Board to conduct also eighth-grade examinations upon request of state board of education.

Chap. 47, Feb. 27, 1907.

1159. **Utah**: *See enactment No. 168.*

1160. **Utah**: Creating a state school committee, defining its powers and duties, providing for the preparation of a state course of study, and further providing for the payment of the necessary expenses of the county superintendents on the committee.

Constituting the state superintendent of public instruction, the principal of the state normal school, the principal of the state normal training school, and two county superintendents a committee to prescribe a course of study for the schools of the State not included in county school districts of the first class or in cities of the first and second classes.

Chap. 57, Mar. 14, 1907.

1161. **Vermont**: Amending sec. 1, act No. 30, Acts, 1894 (sec. 607, chap. 32, Public Statutes, 1894), relative to courses of study in the elementary schools.

Extending authority of the superintendent of education to prepare when necessary (formerly annually) a course of study for elementary (formerly ungraded) schools. Adding provision concerning distribution.

Sec. 4, Act No. 43, Dec. 18, 1906. (Apr. 1, 1907.)

1162. **Vermont**: Amending sec. 686, chap. 36, Public Statutes, 1894, relative to special branches in the public schools. Adding provision for instruction in physical culture, drawing, and the industrial arts and sciences.

Act No. 49, Nov. 23, 1906.

1163. **Wisconsin:** Amending sec. 447, Statutes, 1898, as amended by chap. 158, Laws, 1905, relative to branches taught in public schools.

Providing that the teaching of a foreign language shall not at any time prevent the offering of the regular common school branches in English. Requiring every pupil to devote at least half the school day to the study of English branches.

Chap. 200, June 12, 1907.

(b) History, Civics, and Patriotism.

[See enactments under subdivision (j) : "Days for Special Observance."]

1164. **Delaware:** Requiring that the constitution of the State be taught and explained to all public school pupils.

Chap. 124, Apr. 9, 1907.

1165. **Kansas:** Providing for the display of the United States flag on schoolhouses, and encouraging patriotic exercises in schools.

Providing also that state superintendent shall prepare form of flag salute and programme of exercises for the observance of special days—Lincoln's Birthday, Washington's Birthday, Memorial Day (May 30), and Flag Day (June 14).

Chap. 319, Mar. 6, 1907. Unsigned by the governor.

1166. **Maine:** Encouraging the compiling and teaching of local history and local geography in the public schools.

Providing for the appointment of a state historian, who shall compile historical data of the State and encourage the teaching of the same in the public schools; who shall also encourage the compiling of town histories, combined with local geography, suitable for use in the grammar and high schools, and approve the same for publication. Constituting the superintending school committee, the superintendent of schools, and a citizen of the town selected by them a board to compile and to secure the publication of the history and local geography of the town. Providing for expenses of state historian (annual maximum, $500) and for state aid to towns (maximum, $150).

Chap. 88, Mar. 20, 1907.

1167. **New Jersey:** Encouraging the celebration of Flag Day in the public schools.

Requiring appropriate exercises on June 14 of each year as the day of the adoption of the American flag by the Continental Congress.

Chap. 84, Apr. 17, 1907.

1168. **North Carolina:** Amending sec. 4087, chap. 85, Revisal, 1905, relative to branches to be taught in the public schools.

Removing ambiguity of phrase concerning the teaching of the history and constitution of North Carolina and the history and Constitution of the United States. Providing for the teaching of the elements of civil government and for *text-book* instruction in physiology and hygiene.

Sec. 1c, chap. 835, Mar. 9, 1907.

1169*. **Rhode Island:** Providing for the observance of May 4 as Rhode Island Independence Day.

May 4 of each year to be observed with patriotic exercises in all public schools. Commissioner of public schools to prepare and distribute programme.

Chap. 1591, May 26, 1908.

(c) Physical Education.

[See under Section M, subdivision d: "Vacation Schools and Playgrounds."]

(d) Physiology; Hygiene; Alcohol; Narcotics.

1170. **Massachusetts:** *See enactment No. 1110.*

1171. **North Carolina:** *See enactment No. 1168.*

1172. **North Carolina:** Providing for scientific temperance instruction in the public schools.

Prescribing character and amount of such instruction, and providing for its enforcement in the schools of the State.

Chap. 957, Mar. 11, 1907.

1173*. **Utah:** Providing for the establishment of a course of instruction in the public schools on the subjects of sanitation and the cause and prevention of disease.

"SECTION 1. *Sanitation and the cause and prevention of disease shall be taught.*—That there shall be established in the Normal Schools of the state, and in the public schools, beginning with the eighth grade, a course of instruction upon the subjects of sanitation, and the cause and prevention of disease.

"It shall be the duty of the state board of education and state board of health, acting conjointly, to prepare a course of study to carry out the provisions of this act."

Chap. 96, Mar. 14, 1907.

(e) Moral and Ethical Education.

D 1174. **Kentucky** (1905): A public school opened with prayer and the reading without comment of passages from King James's translation of the Bible, during which pupils are not required to attend, is not "a place of worship," nor are its teachers "ministers of religion," within the meaning of constitution, sec. 5, providing that no person shall be compelled to attend any place of worship or contribute to the support of a minister of religion.—Hackett *v.* Brooksville Graded School District, 87 S. W., 792.

The King James translation of the Bible, or any edition of the Bible is not a sectarian book, and the reading thereof without comment in the public schools does not constitute sectarian instruction, within the meaning of Ky. Stat., 1903, sec. 4368, providing that no books of a sectarian character shall be used in any common school, nor shall any sectarian doctrine be taught therein.—*Ibid.*

D 1175. **Texas** (1908): [a] The holding of certain exercises in the public schools *held* not to convert the schools into a place of worship, in violation of constitution, art. 1, sec. 6.—Church *v.* Bullock, 109 S. W., 115.

Notwithstanding constitution, art. 1, secs. 6, 7, and art. 7, sec. 5, one or more individuals *held* not entitled to have the courts deny the people the privilege of having their children instructed in the public schools in the moral truths of the Bible.—*Ibid.*

(f) Humane Treatment of Animals.

(g) Music.

(h) Drawing.

(i) Elementary Technical, Manual, and Industrial Training.

[See also Section O: "Technical and Industrial Education—Elementary and Secondary."]

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a See p. 316 for complete text of decision.

1176. **Arkansas:** Authorizing the teaching of elementary agriculture in the public schools.

Act No. 455, May 29, 1907.

1177. **California:** Amending sec. 1665, Political Code, 1906, relative to course of study in primary and grammar schools.

Nature study to be taught with special reference to agriculture. Manual training and domestic science added and made optional.

Chap. 52, Mar. 1, 1907.

1178. **Texas:** Amending sec. 100, chap. 124, Acts, 1905, relative to subjects to be taught in the public schools.

Providing for the teaching of elementary agriculture, excepting in independent school districts containing a scholastic population of three hundred and more.

Chap. 169, Apr. 24, 1907.

1179. **Utah:** Urging Congress to adopt the Burkett-Pollard bill (providing for appropriations to the several States for advancing instruction in elementary agriculture and manual training).

Sen. Jt. Mem. No. 2, p. 275, Mar. 14, 1907.

1180. **Virginia:** *See enactment No. 107.*

1181. **Wisconsin:** Amending sec. 496b, Statutes, 1898, and sec. 496c, Statutes, 1898, as amended by chap. 273, Laws, 1899, and creating sec. 496c—1, relative to manual training and state aid therefor in free high schools.

Authorizing extension of manual training so as to include the three upper grades below the high school. Authorizing assistance of inspectors of graded schools in the supervision of manual training departments. Annual state aid to equal one-half the cost of instruction; not to exceed $350 if in high school and three upper grades, or $250 if in high school alone (formerly $250 to high school). Authorizing two or more districts to unite in engaging manual training teachers and providing aid therefor. Increasing maximum limit of annual state aid from $5,000 to $25,000.

Chap. 503, July 9, 1907.

(j) Days for Special Observances.

[See enactments under subdivision (b): "History, Civics, and Patriotism;" also under Section H, subdivision d: "School Holidays."]

1182. **Montana:** Amending secs. 1990 and 3280, Political Code, 1895, relative to Arbor Day.

Changing Arbor Day from second Tuesday of May to third Tuesday of April.

Chap. 11, Feb. 13, 1907.

1183. **New Hampshire:** Making May 13, 1907, a legal holiday.

Making May 13, 1907, the three hundredth anniversary of the landing of the first English colonists at Jamestown, Virginia, a legal holiday.

Chap. 66, Mar. 20, 1907.

1184. **New Jersey:** Relative to Arbor Day.

Designating first Friday in May. Exercises in schools.

Chap. 187, Apr. 13, 1908.

(k) Other Special Subjects.

1185. **Arizona:** Providing for instruction in commercial branches in the public schools of Arizona.

Authorizing the introduction of commercial subjects by boards of school trustees, and providing for the employment and licensing of teachers.

Chap. 58, Mar. 21, 1907.

M. SPECIAL TYPES OF SCHOOL.

The legislation relating to special types of school reveals a continued tendency to extend greatly the activities of public education. While some of the enactments here included are not applicable strictly to schools, they are brought forward in evidence of this widening tendency of public education. This is particularly true of those of New Jersey (1186), Ohio (1187), Massachusetts (1197a, 1197b), Oregon (1199), and Wisconsin (1200).

The special schools for adults established in Pennsylvania (1188), and the special evening schools established in New Jersey (1196), are of peculiarly large contemporary interest.

The establishment of kindergartens by Kansas (1191) and by Texas (1192) are features of the widening scope of the public-school system. In connection with these two enactments, the decision of the California supreme court (D 1190) is pertinent.

The Massachusetts act (1197) enlarging the powers of the school committee of the city of Boston with reference to physical education stands out as a prominent example of the progressive and far-reaching legislation affecting the schools of the large cities.

The several enactments in Wisconsin (1201–1204) are deserving of special mention in connection with this general topic of the extension of the activities of the school as a social institution.

(a) General.

1186. **New Jersey:** Amending chap. 69, Laws, 1904, as supplemented by chap. 106, Laws, 1905, authorizing cities of the first class to provide annual excursions for children of the same.

Increasing authorized limit of annual appropriation from $5,000 to $10,000.

Chap. 130, Apr. 9, 1908.

1187. **Ohio:** Repealing, and reenacting with amendments, sec. 4007, Revised Statutes (1905), relative to elementary schools.

Authorizing city school districts to establish and maintain normal schools, summer or vacation schools, school gardening, and playgrounds.

H. B. 887, p. 85, Apr. 9, 1908.

1188. **Pennsylvania:** Establishing schools for adults, including foreigners, and providing for instruction, and employment of teachers for same.

"SECTION 1. *Be it enacted, etc.*, That whenever an application shall be made to the school-directors of any school district of this Commonwealth, requesting the said board to provide means for the instruction of any colony, camp, or settlement of adults, including foreigners, who may reside temporarily or permanently within the boundaries of said school district, it shall be the duty of said board to arrange a suitable and convenient place wherein any such persons desiring to attend may be instructed in the several branches now taught in the common schools of this Commonwealth.

"SEC. 2. The application or petition shall be signed by at least twenty persons of said school district, who may either be taxable residents of said district, or aliens desiring such tuition: *Provided*, That any alien, so signing, must accompany his request by the statement that he desires to avail himself of the said instruction.

"SEC. 3. The said school may be discontinued, at any time, at the discretion of the said school board, whenever the average daily attendance for any month is less than fifteen.

"SEC. 4. It shall be in the discretion of the school board to use any one or more of the schoolhouses established for ordinary and usual school purposes, or to erect or provide such suitable building or buildings, portable or permanent, as may be necessary.

"SEC. 5. That, upon receipt of such application or petition, the school board shall at once proceed to provide a suitable location for such school, hire the necessary teachers, and make all needful expense to open and continue said school: *Provided*, That any two or more school districts may unite in the establishment, support, and maintenance of said schools: *Provided, however*, That the establishing and maintaining of such schools shall be optional with the school boards of the several districts, except such years as a State appropriation is made for this purpose.

"SEC. 6. The school board may prescribe the hours at which the schoolhouse may be open for instruction, which shall be between the hours of nine o'clock in the forenoon and nine o'clock in the evenings.

"SEC. 7. The instruction in said school shall be in the English language, except when necessary to translate the same into the original language of the scholars: *Provided*, That no sectarian instruction shall be allowed."

Act No. 60, Apr. 15, 1907.

1189. **Virginia**: Establishing a public free school on the grounds of the prison association of Virginia at Laurel, Henrico County, making an appropriation for the erection and equipment of the schoolhouse, and providing for the conduct and maintenance of same.

Chap. 404, Mar. 16, 1908.

(b) Kindergartens.

D 1190. **California** (1905): [a] Pol. Code, secs. 1617, 1662, 1663, which recognize and make provision for the establishment of kindergartens in cities and towns, do not, when construed so as not to entitle kindergartens to participate in the state school fund, conflict with constitution, art. 9, sec. 5, requiring the legislature to provide a system of common schools by which a free school shall be kept up and supported in each district, and sec. 6 of the same article, requiring the state school fund to be applied exclusively to the support of primary and grammar schools.—Los Angeles County *v.* Kirk, 83 P., 250.

1191*. **Kansas**: Empowering school boards to establish and maintain free kindergartens for the instruction of children between 4 and 6 years of age.

Nothing in the act to be construed to change law relating to the taking of the census of the school population or the apportionment of state and county school funds. Cost of establishing and maintaining to be paid from school fund of districts. Prescribing qualifications of teachers.

Chap. 325, Mar. 1, 1907.

1192. **Texas**: Empowering the trustees of any school district to establish and maintain free kindergartens for the training of children between 4 and 7 years of age and to provide for trained teachers for same.

Providing that such establishment shall not affect laws governing school census or apportionment of school funds. Support by special tax. Providing for kindergarten teachers' certificates.

Chap. 149, Apr. 20, 1907.

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[a] See p. 310 for complete text of decision.

(c) Evening Schools.

1193. **California:** *See enactment No. 4.*

D 1194. **California** (1907) : [a] Constitution, art. 9, sec. 6, *held* not to prevent the maintenance of evening high schools as a part of the public school system.—Board of Education of City and County of San Francisco *v.* Hyatt, 93 P., 117.

1195. **Georgia:** Amending the charter of the city of Macon so as to authorize and direct the mayor and council to appropriate certain fixed sums of money for the support of a night school to be kept at one or both of the Macon public libraries.

Act No. 100, p. 786, Aug. 17, 1907.

1196. **New Jersey:** Providing for the establishment of evening schools for foreign-born residents.

"1. The board of education of any school district may establish and maintain a public evening school or evening schools for the instruction of foreign-born residents of said district over fourteen years of age in the English language and in the form of government and the laws of this State and of the United States. Every teacher employed in such a school shall hold a special teacher's certificate, valid as a license to teach in such schools. The state board of education shall prescribe rules for the proper control and management of such schools, for the inspection thereof, for the granting of certificates to teach therein, and for carrying into effect the purposes of this act. The course of study in each of such schools and any changes therein shall be submitted to and shall be approved by the state board of education.

"2. Whenever in any school district there shall have been raised by special appropriation or special tax, or by subscription, or both, such sum as, in the judgment of the state board of education, shall be sufficient for the maintenance in such district of an evening school or schools as aforesaid, there shall be paid for such purpose to the custodian of the school moneys of said district, on the order of the state superintendent of public instruction, an amount equal to that raised therein as aforesaid, which amount shall be paid by the state treasurer on the warrant of the state comptroller: *Provided*, said order shall not be issued until the course of study in such school or schools or any changes therein shall have been approved by the state board of education. The moneys appropriated by the State as aforesaid to any school district shall not exceed in any year the sum of five thousand dollars. The custodian of the school moneys of the school district shall be the legal custodian of any and all funds appropriated, raised or subscribed for the maintenance of such evening schools. He shall keep a separate and distinct account thereof, and shall disburse said moneys on orders signed by the president and district clerk or secretary of the board of education.

"3. The board of education of any school district receiving an appropriation from the State for the purpose mentioned in this act shall annually, on or before the first day of August, make a special report to the state superintendent of public instruction in the manner and form prescribed by him.

"4. The state board of education may from time to time appoint suitable persons to assist in carrying out the provisions of this act and to encourage the establishment of such evening schools. The persons so appointed shall receive no compensation for their services, but shall be paid the necessary expenses incurred by them under the provisions of this act.

"5. The expenses incurred in carrying out the provisions of this act shall be paid by the state treasurer on the warrant of the state comptroller, but no expense shall be incurred nor payment made for any of the purposes named in this act until an appropriation therefor shall have been made in a regular appropriation bill.

"6. This act shall take effect immediately."

Chap. 36, Apr. 11, 1907.

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[a] See p. 306 for complete text of decision.

(d) Vacation Schools and Playgrounds.

1197. **Maryland:** Authorizing contract between the city of Baltimore and the Children's Playground Association of Baltimore for the maintenance of playgrounds in said city.

Chap. 511, p. 587, Apr. 8, 1908.

1197a. **Maryland:** Adding sec. 93A to art. 4, Code of Public Local Laws, 1904, authorizing the board of park commissioners of Baltimore to establish athletic fields and playgrounds for the use of the students of the public schools of the city. Chap. 106, p. 594, Mar. 19, 1908.

1197b. **Massachusetts:** Enlarging the powers of the school committee of the city of Boston in respect to physical education.

"SEC. 1. The school committee of the city of Boston, within the limit of the appropriations for such purposes made by it as hereinafter authorized or under existing authority of law, shall, during the summer vacation and such other part of the year as it may deem advisable, organize and conduct physical training and exercises, athletics, sports, games, and play, shall provide proper apparatus, equipment and facilities for the same in the buildings, yards and playgrounds under the control of said committee, or upon any other land which it may have the right to use for this purpose.

"SEC. 2. The said committee shall use for the purpose aforesaid such of the playgrounds, gymnasia or buildings under the control of the park commission of said city as the school committee may deem suitable therefor, such use to be subject however to such reasonable regulations and conditions as the park commission may prescribe: *Provided*, also, that such use shall not extend to any playground, gymnasium or building under the control of the park commission which said commission shall by vote approved by the mayor declare to be unsuitable for such use.

"SEC. 3. Appropriations for the above named purposes shall be made by the school committee in the same manner in which it makes appropriations for the support of the public schools, and the total amount of the appropriations which said committee is authorized by law to make is hereby increased for the current financial year of the city by two cents upon each one thousand dollars of the valuation on which the appropriations of the council are based, and by two cents additional, or four cents in all, for each subsequent year; but the amount of said increase shall be appropriated solely for the purposes mentioned in this act."

Chap. 295, Apr. 13, 1907.

1197c. **Massachusetts:** Authorizing the board of park commissioners of the city of Lowell to establish and maintain parks and playgrounds.

Chap. 148, Feb. 27, 1908.

1197d. **Massachusetts:** Providing for public playgrounds in certain cities and towns.

Adoptive by cities of more than 10,000. At least one public playground to be maintained after July 1, 1910.

Chap. 513, May 12, 1908.

1198. **New Jersey:** Amending the title, and secs. 2, 3, 4, 5, and 6, chap. 117, Laws, 1907, relative to public playgrounds in cities.

Title to read "An act concerning playgrounds and recreation places in cities of this State, and providing for the establishment, equipment, control, use and regulation thereof."

Amending so to read throughout "playgrounds and recreation places" (formerly, "playgrounds and recreation places *for children*"); authorizing the use of playgrounds for exhibitions, etc.; admission free. Other minor amendments.

Chap. 108, Apr. 7, 1908.

1199. **Oregon:** Creating a public playgrounds board for the city of Portland. Authorizing said board to acquire by purchase, gift, or condemnation, lands for public playgrounds and gymnasium, and to equip, maintain, and manage the same, and to provide rules and regulations for the management thereof.

"SECTION 1. That there be and is hereby created a board of five persons to be known as the public playground board, whose duty it shall be to provide, equip, and maintain public playgrounds and gymnasiums for the use of children within the city of Portland, Multnomah County, Oregon, as hereinafter provided.

"SEC. 2. Such public playgrounds board shall consist of the mayor of the city of Portland, and the judge of the juvenile court of Multnomah County, Oregon, the superintendent of the public schools of school district No. 1, Multnomah County, Oregon, the president of the Multnomah Amateur Athletic Club, and the librarian of the public library of the city of Portland, Oregon, and their successors in their respective offices.

"SEC. 3. Said public playgrounds board shall organize at a meeting thereof, to be called by the mayor of the city of Portland, not more than sixty days after the date on which this law shall take effect and elect a chairman from among their number, and a secretary, who need not be a member of the board. None of said board shall receive any compensation for their services as such. Regular meetings of said board shall be held monthly at such times as may be prescribed by the board, and special meetings may be held upon call of the chairman or of three members of the board, and at all such meetings three members of said board shall constitute a quorum.

"SEC. 4. The secretary of said board shall keep an accurate record of all the proceedings of said board, including all rules and regulations adopted for the government or use of the playgrounds or gymnasium, and shall perform such other duties as may be prescribed by the said board. He shall receive in full compensation for all his services such salary as may be determined by the board, not exceeding the sum of $100 per month.

"SEC. 5. The treasurer of the city of Portland shall be treasurer of the board and shall keep an accurate account of all moneys received and paid out on account of said board apart from all other accounts, and shall pay out no moneys on account of such board, except upon a warrant drawn upon him by the chairman or acting chairman, countersigned by the secretary or acting secretary of the said board.

"SEC. 6. Said public playgrounds board at any regular meeting thereof shall have power to assess a tax, not exceeding one-quarter of one mill on the dollar in any one year during the first five years after this act takes effect, and, thereafter, one-eighth of one mill on the dollar during any one year upon the taxable property of the city of Portland, which tax shall be collected like other city taxes, and when so collected shall be exclusively under the control of said public playgrounds board, and shall be exclusively used for public playgrounds and gymnasium purposes, according to the judgment of said board, and said board shall have full and exclusive control of all public playgrounds and gymnasiums within the city of Portland, including all those parts of the public parks or grounds of said city which had been or may hereafter be set aside for playgrounds or gymnasiums, and shall have power to lay out, improve, and equip such public playgrounds and gymnasiums, to appoint all necessary employees, including watchmen or keepers, who shall have the power and authority of police officers, and fix the compensation of all such employees, and shall disburse all moneys appropriated, received, or collected for the improvement or use of said playgrounds and gymnasiums, and generally shall have power to do all acts needful or proper for the protection, care or improvement of said playgrounds and gymnasiums, and to make all necessary rules or regulations for the use or government thereof, and for breaches of such rules and regulations to affix penalties thereto, not exceeding $20 for any one offense, to be collected as other fines and penalties are collected in the said city of Portland, Oregon.

"SEC. 7. The said public playgrounds board is hereby empowered to acquire title by purchase, gift, devise, and condemnation or otherwise to any land it may deem desirable for public playgrounds or gymnasiums,

the title thereto to be taken in the name of the city of Portland, Multnomah County, Oregon, and to pay for the same from the tax collected as herein provided, or from any other funds given or received for said purpose, and the park board of the city of Portland shall have authority to turn over to the said public playgrounds board such parts of the parks and other grounds belonging to the city of Portland and within the control of said park board as shall be suitable and desirable for public playgrounds and gymnasiums, and when so designated and turned over to said public playgrounds board the same shall be under the jurisdiction of said public playgrounds board as other property it might acquire for said purpose. Said public playgrounds board shall have power and authority to sell any lands or other property acquired for playgrounds or gymnasium purposes whenever in the judgment of said board such land or property shall have become undesirable for such purposes, and all money received on such sale shall be turned into and become part of said playgrounds fund. It shall be the duty of the water board of the city of Portland to furnish whatever water may be necessary for drinking fountains, water closets, sprinkling or other legitimate purposes for the playgrounds and gymnasiums which may be established under this act, free of charge.

"SEC. 8. If the said public playgrounds board desires to acquire any land for use in accordance with this act and cannot agree with the owners as to the amount to be paid therefor, said public playgrounds board may proceed in the circuit court of Multnomah County, Oregon, as provided in chapter 2, title 41, of Bellinger and Cotton's compilation of the laws of Oregon, for the appropriation of such land for public playgrounds and gymnasium purposes.

"SEC. 9. No land shall be purchased unless authorized at a regular meeting of said public playgrounds board and concurred in by at least three members of said board. It shall be a crime for any member of said board to be interested in any contract to which the board of which he is a member shall be a party or in which it is interested, and such crime shall be prosecuted and punished as a misdemeanor.

"Filed in the office of the secretary of state, Feb. 25, 1907."

Chap. 159, Feb. 25, 1907.

1200. **Wisconsin:** Amending secs. 1, 3, and 4, chap. 181, Laws, 1899, and making the same secs. 926—17, 926—19, and 926—20, respectively, of the statutes, and creating sec. 776n, providing for the creation of park districts in cities of the third and fourth classes and in towns, and providing for levying and collecting a district tax to procure lands for parks and playgrounds, and to improve and maintain parks and playgrounds therein.

Chap. 585, July 12, 1907.

(e) University Extension; Public Lectures.

1201. **Wisconsin:** Amending secs. 1 and 2, chap. 336, Laws, 1901, as amended by secs. 1 and 2, chap. 125, Laws, 1905 (creating secs. 515a and 515b, Statutes, 1898), relative to the use of public schools and libraries for public lectures.

Providing for lectures (formerly, evening lectures). The further education of adults to be cared for in particular. Empowering boards to delegate management and control of lectures.

Chap. 75, May 3, 1907.

1202. **Wisconsin:** Amending sec. 435, Statutes, 1898, relative to powers and duties of school district boards and the care of school property.

Authorizing use of school buildings for lectures, public entertainments, etc., under the auspices of the school authorities for the benefit of the schools. Permitting admission fees.

Chap. 270, June 19, 1907.

1203. **Wisconsin:** Creating sec. 1494j of the statutes, relating to university extension.

Regents may carry on extension and correspondence teaching; $20,000 annually. Chap. 413, June 26, 1907.

1204. **Wisconsin:** Amending sec. 933 of the statutes, as amended, relating to the use of public libraries.

Free library may employ lecturers; cooperation with University of Wisconsin and free library commission to encourage wider use of educational books. Chap. 307, June 21, 1907.

(f) Farmers' Institutes, etc.

1205. **Alabama:** Appropriating annually $4,000 for the purpose of holding farmers' institutes, conducting experiments, gathering statistics, etc., for the betterment of the agricultural interests of the state.

Act No. 767, p. 751, Aug. 9, 1907.

1206. **California:** Authorizing the regents of the University of California to hold farmers' institutes.

Making appropriation of $1,200 for the biennium 1907 and 1908.

Chap. 136, Mar. 8, 1907.

1207. **Colorado:** Making a special appropriation of $10,000 for 1907 and 1908 for farmers' institutes and agricultural extension work by the state board of agriculture and the State Agricultural College.

Sec. 4, chap. 76, Apr. 15, 1907.

1208: **Indiana:** Supplementing chap. 134, Laws, 1889 (secs. 2809–2811, Burns's Annotated Statutes, 1901), relative to the encouragement of farmers' institutes.

Authorizing additional annual expenditure of not to exceed $100 for each county institute. Providing for recognition of woman's auxiliary. Penalty for false reports. Chap. 117, Mar. 8, 1907.

1209. **Louisiana:** Authorizing the commissioner of agriculture and immigration to employ a farmers' institute conductor, providing for payment of his salary, his expenses, and the expenses incurred in conducting said farmers' institutes, and for holding institutes for the instruction of the citizens of the state in the various branches of agriculture.

Act No. 162, July 2, 1908.

1210. **Oklahoma:** *See enactment No. 1436.*

1211. **Wisconsin:** Amending sec. 486c, Statutes, 1898, relative to the method of placing farmers' institute bulletins in the public schools.

To be distributed by superintendent of agricultural institutes directly to town clerks (formerly, through state superintendent).

Chap. 66, Apr. 30, 1907.

1212. **Wyoming:** Authorizing the several boards of county commissioners to appropriate annually $100 to defray expenses of holding farmers' institutes under the supervision and with the cooperation of the University of Wyoming. Chap. 77, Feb. 20, 1907.

(g) Private and Endowed Schools.

N. SECONDARY EDUCATION: HIGH SCHOOLS AND ACADEMIES.

The volume of legislation and judicial decisions upon the question of high schools would seem to indicate that this school was occupying a larger and larger place within the scheme of public education. Aside from the question of direct state aid, the attitude of the various States toward the development of secondary education is well illustrated by the following: Alabama (1215), providing for the establishment of county high schools; California (1220), permitting the establishment of postgraduate courses of study in high schools; California (D1224), relative to the status of evening high schools; Illinois (1227), providing for high-school privileges for all graduates of the eighth grade; Indiana (1230), relative to the classification of high schools; Kansas (1233–1235), relative to county high schools; Montana (1245), relative to the status of the county high school; Nebraska (1246), providing free public high school education for all the youth of the State; Nebraska (1247), providing for the establishment of county high schools; North Carolina (1255), providing for the establishment of county high schools; South Carolina (1261), providing for the establishment of county high schools. Throughout this group of legislation and judicial interpretation it is easy to detect the growing importance in popular favor of the county, township, and joint high schools.

1213. **Alabama:** Providing for county high school for Dale County.

Providing for annual state appropriation of $5,000; for board of trustees, and duties and powers thereof.

Act No. 703, p. 641, Aug. 9, 1907.

1214. **Alabama:** Providing for state appropriation to high school at Plantersville.

Appropriation, $4,000. Constitution of board of trustees.

Act No. 705, p. 642, Aug. 9, 1907.

1215. **Alabama:** Providing for the establishment of high schools in the counties of the State and making appropriations therefor.

Creating a commission composed of the governor, auditor, and superintendent of education for location of such high schools. Providing for annual state appropriation of $2,000 for each school. County to provide site and building. Provisions regarding board of trustees, qualifications of teachers, eligibility of students, course of study.

Act effective, providing appropriations can be made from treasury.

Act. No. 757, p. 728, Aug. 7, 1907. (Secs. 1861–1868, Code, 1907.)

1216. **California:** *See enactment No. 4.*

1217. **California:** *See enactment No. 1155.*

1218. **California:** Amending sec. 1669, Political Code, 1906, relative to the establishment and maintenance of high schools.

High school *districts* may be maintained with one or more high schools in the manner provided for by secs. 1670 and 1671, Political Code.

Chap. 14, Feb. 15, 1907.

1220. **California**: Adding new section to the Political Code, to be numbered 1681, relative to postgraduate courses of study in high schools.

"1681. The board of trustees of any city, district, union, joint union, or county high school may prescribe postgraduate courses of study for the graduates of such high school, or other high schools, which courses of study shall approximate the studies prescribed in the first two years of university courses. The board of trustees of any city, district, union, joint union, or county high school wherein the postgraduate courses of studies are taught may charge tuition for pupils living without the boundaries of the district wherein such courses are taught."

Chap. 69, Mar. 1, 1907.

1221. **California**: Adding sec. 1671a to Political Code, 1906, relative to issuance of bonds for support of county high schools.

Providing for the submission to electors of the county of the question of issuance of bonds for county high-school purposes.

Chap. 197, Mar. 12, 1907.

1222. **California**: Amending sec. 1670, Political Code, 1905, relative to establishing and maintaining high schools.

Providing for the establishment and maintenance of high-school districts (formerly high schools) in any city, incorporated town constituting one or more common school districts (formerly incorporated town), or any school district having a school population of 200 (formerly 300) or more.

Decreasing powers of county superintendents relative thereto.

Chap. 519, Mar. 23, 1907.

D 1223. **California** (1906): Pol. Code, secs. 1669–1674, regulating the government of high schools, are not to be controlled by provisions of the Code applicable to common schools.—Bancroft *v.* Randall, 87 P., 805.

D 1224. **California** (1907): [a] A high school being a part of the public school system, as provided by constitution, art. 9, sec. 6, such a school established by the board of education of San Francisco under Pol. Code, sec. 1616, and Stat. 1871–72, p. 846, chap. 576, if otherwise qualified, was entitled to share in the state high school fund, under act March 6, 1905, p. 59, chap. 65, sec. 5, though not established pursuant to an election under Pol. Code, sec. 1670.—Board of Education of City & County of San Francisco *v.* Hyatt, 93 P., 117.

A high school having been organized in October, 1897, any defects in its organization were cured by Stat., 1901, p. 299, chap. 140, and by Acts, 1905, amending Pol. Code, chap. 1671, so that the school was "organized under the laws of the state," within Stat., 1905, p. 58, chap. 65, sec. 5, providing for the distribution of the high school fund.—*Ibid.*

The fact that the sessions of an evening high school were limited to two hours a day did not prevent it from participating in the benefits conferred on regularly established high schools by act March 6, 1905, p. 58, chap. 65.—*Ibid.*

Under Pol. Code, sec. 1670, subdiv. 12, and Stat., 1905, p. 58, chap. 65. sec. 5, a high school maintaining two courses of study, only one of which complied with university admission requirements, *held* entitled to state high-school funds only in case it maintained in such course not less than two high-school teachers, and had a daily average attendance of twenty or more pupils.—*Ibid.*

Under Pol. Code, sec. 1670, subdiv. 12, the fact that an evening high school course intended to comply with university requirements extended for five years did not affect school's right to participate in distribution of state high school fund, as prescribed by Stat., 1905, p. 58, chap. 65, sec. 5.—*Ibid.*

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[a] See p. 306 for complete text of decision.

1225. **Colorado:** Amending chap. 100, Laws, 1899, relative to the establishment and support of high schools in counties of the fourth and fifth classes.

Extending act so as to include counties of second and third classes. Providing for the issuance of bonds for the purpose of school buildings and sites, or for funding floating debts.

Chap. 219, Apr. 9, 1907.

1226. **Connecticut:** Amending chap. 187, Acts, 1903, concerning tuition of children in high schools and academies in towns and cities other than those in which they reside.

Towns in which a high school is not maintained (previously, high school *or academy*) to pay whole or part of tuition fees of scholars attending approved school or academy.

Chap. 90, May 27, 1907.

1227*. **Illinois:** Providing free high school privileges for graduates of the eighth grade.

Providing that graduates of the eighth grade in districts where there is no high school shall be allowed to attend any four-year high school in the same or any adjoining county upon payment of tuition not to exceed cost per capita for instruction in said school.

District of residence to pay tuition of children of indigent parents.

Pupils from districts maintaining work of ninth and tenth grades must complete work of these grades.

H. B. 857, p. 523, May 25, 1907.

D 1228. **Illinois** (1904): Under the school law (Laws, 1889, p. 239), providing for organization of school districts and maintenance therein of free schools in which the children of the State may receive a good common school education, and constitution, art. 8, sec. 1, providing that the general assembly shall provide a thorough and efficient system of free schools, whereby all children of the State may receive a good common school education, any school district may establish and maintain a high school department.—Russell *v.* High School Board of Education of School Dist. No. 131, 72 N. E., 441; 212 Ill., 327.

1229. **Idaho:** *See enactment No. 1156.*

1230. **Indiana:** Relating to high schools.

"SECTION 1. *Be it enacted* * * *, That the public schools of the State shall be and are defined and distinguished as (*a*) elementary schools and (*b*) high schools. The elementary schools shall include the first eight (8) years of school work, and the course of study for such years that which is now prescribed or may hereafter be prescribed by law. The commissioned high schools shall include not less than four (4) years' work following the eight years in the elementary schools. The high school course in non-commissioned high schools shall be uniform throughout the State and shall follow a course to be established and amended or altered from time to time as occasion may arise, by the state board of education.

"SEC. 2. The following enumerated studies shall be taught in all commissioned high schools throughout the State, together with such additional studies as any local board of education may elect to have taught in its high school: *Provided*, That such additions shall be subject to revision of the state board of education. Mathematics: Commercial arithmetic, algebra, geometry. History: United States, ancient, medieval or modern. Geography: Commercial or physical, physical. English: Composition, rhetoric. Literature: English, American. Language (foreign): Latin or German. Science: Biology, physics or chemistry. Civil government: General, state. Drawing. Music."

Chap. 191, Mar. 9, 1907.

1231. **Iowa:** *See decision No. D 15.*

D 1232. **Iowa** (1905): Acts, twenty-seventh general assembly, p. 48, chap. 84, is entitled "An act to amend sections 2728, 2730, 2731, and 2732 and repeal section 2733 of the code, and enact a substitute therefor, in relation to county schools," and sec. 4 of the statute provides that, should there be more applications for admission to a county high school from any school corporation than the corporation's proportionate number of pupils, the school corporation from which they attend shall pay their tuition out of its contingent fund. *Held*, that the statute is not violative of constitution, art. 3, sec. 29, as embracing more than one subject, but one of which is expressed in its title, on the ground that sec. 4 is an attempt to amend code, sec. 2803, the latter relating to ordinary school corporations, and not being intended to regulate, nor in effect regulating, high schools.—Boggs *v.* School Tp. of Cass, Guthrie County, 102 N. W., 796.

1233*. **Kansas:** Repealing, and reenacting with amendments, secs. 4 and 10, chap. 397, Laws, 1905, providing for the maintenance and regulation of county high schools in districts or cities under 16,000 population.

Apportionment of high-school fund to be made according to estimated cost of maintaining high schools, in place of according to average daily attendance.

Providing for the submission to electors of counties of the question of adoption of the provisions of the high-school act of 1905, as amended by laws of 1907 and 1908.

Chap. 69, Jan. 27, 1908.

1234*. **Kansas:** Repealing, and reenacting with amendments, sec. 6, chap. 397, Laws, 1905, relative to the regulation and maintenance of high schools in districts or cities under 16,000 population.

Relating to county high schools. Providing for the certification of the amount necessary for maintenance of such schools by county superintendent. Maximum levy, 3 mills. County superintendent to make levy in case county commissioners fail to do so.

Chap. 333, Mar. 9, 1907.

1235*. **Kansas:** Repealing, and reenacting with amendments, sec. 6455, General Statutes, 1901 (sec. 1, chap. 250, Laws, 1899), authorizing and enabling school districts in certain counties to levy a tax and pay the high-school tuition of all scholars actually residing in said district.

Relating to school districts located in counties not maintaining a county high school. Provisions concerning tax levy for the payment of tuition of pupils in other high schools not to apply to any county adopting provisions of chap. 397, Laws, 1905.

Chap. 336, Mar. 5, 1907.

D 1236. **Kansas** (1904): Laws, 1889, p. 326, chap. 224, sec. 1 (Gen. Stat., 1901, sec. 6305), authorizing cities of second class to maintain high schools in whole or in part by collection of a tuition fee from each pupil, is a violation of constitution, art. 6, sec. 2, providing for the establishment of a uniform system of common schools and schools of higher grade.—Board of Education of the City of Lawrence *v.* Dick, 78 P., 812.

The term "common schools," as used in constitution, art. 6, sec. 2, providing for their establishment, means "free common schools."—*Ibid.*

The high school grade of a city system of schools is a part of the common school system.—*Ibid.*

D 1237. **Kansas** (1906): Laws, 1905, p. 676, chap. 414, authorizing boards of education to separate colored and white children in high schools, and to maintain separate high schools for white and colored children, is a special act amendatory of sec. 6290, Gen. Stat., 1901, relating to the regulation and support of public schools, and is not in violation of any provision of the constitution.—Richardson *v.* Board of Education of Kansas City, 84 P., 538, 72 Kan., 629.

D 1238. **Kansas** (1908): Per Curiam. This case involves the constitutionality of chap. 368, p. 534, Laws, 1907, entitled "An act providing for a special tax levy for the construction and equipment of a county high school building for Scott County, Kansas." The act is special, and under the authority of the case of Anderson *v.* Board of County Commissioners of Cloud County (just decided), 95 Pac., 583, is held to be repugnant to the provisions of sec. 17, art. 2, of the constitution, and therefore void for the reason that a general law could plainly be made applicable.

The judgment will be reversed, and the cause remanded for further proceedings. Deng et al. *v.* Lamb et al., 95 P., 592.

1239. **Kentucky**: *See enactment No. 133.*

1240. **Maine**: Amending sec. 1, chap. 68, Public Laws, 1903 (sec. 63, chap. 15, Revised Statutes, 1903), relative to high school tuition of nonresidents.

Adding provision that such tuition shall constitute a part of the high school fund of town receiving same.

Chap. 73, Mar. 20, 1907.

1241. **Maine**: Amending sec. 6, chap. 148, Acts, 1901 (sec. 81, chap. 15, Revised Statutes, 1903), relative to state aid for academies.

Adding provision concerning additional state aid for academies maintaining a training school for teachers, a course in manual training, domestic science, or agriculture approved by state superintendent of schools.

Chap. 78, Mar. 20, 1907.

1242. **Massachusetts**: Relative to the maintenance of a high school in the town of Leicester.

Authorizing agreement between trustees of Leicester Academy and school committee for conducting a high school in the academy.

Chap. 496, June 12, 1907.

1243. **Massachusetts**: Providing for a high school building commission for the city of Haverhill.

Prescribing powers and duties of commission; limiting expenditures for building and grounds to $350,000.

Chap. 498, June 12, 1907.

1244. **Montana**: Repealing, and reenacting a substitute for an act to establish county free high schools and to provide for their maintenance, substitute for H. B. No. 69, p. 59, Laws, 1899, as amended by S. B. No. 37, p. 6, Laws, 1901, as amended by chap. 59, Laws, 1903, validating everything done under said laws of 1899, 1901, and 1903.

Sundry minor amendments.

Chap. 29, Feb. 25, 1907.

D 1245. **Montana** (1907): Sess. Laws, 1907, p. 50, authorizing the establishment of county free high schools, *held* not to violate constitution, art. 5, sec. 23, providing that no bill containing more than one subject shall be passed.—Evers *v.* Hudson, 92 P., 462.

1246*. **Nebraska**: Providing four years of free public high school education for all youth of the state whose parents or guardians live in public-school districts which maintain less than a four-year high school course of study.

Defining conditions of admission of such pupils to high school privileges. Fixing tuition charge at 75 cents per week and providing for compulsory tax levy by district of residence to pay such tuition.

Chap. 121, Mar. 6, 1907.

1247. **Nebraska**: Providing for and establishing county high schools.

Providing for elections for such establishment. Constituting county board of commissioners or supervisors as board of trustees for county high school. Defining powers and duties of board of trustees and of its officers. Authorizing the issuance of certificates and diplomas to students and making tuition free to all pupils residing in the county. Providing for the location of the school and authorizing the issuance of bonds.

Chap. 122, Apr. 5, 1907.

1248. **Nevada:** Amending secs. 3, 4, 5, and 6, chap. 31, Statutes, 1895, permitting the establishment of county high schools, and providing for their construction, maintenance, and management.

Providing for election to determine location of school, for deferring the tax levy, and for the erection of a county high school building and reconstituting county boards of education.

(See chap. 154, Mar. 28, 1907, authorizing county commissioners of Churchill County to issue bonds for county high school building in Fallon.)

Chap. 86, Mar. 15, 1907.

1249. **New Hampshire:** Enabling certain school districts to make contracts with certain towns or institutions outside of the state for furnishing instruction to pupils of high school grade.

Chap. 122, Apr. 4, 1907.

D 1250. **New Hampshire** (1906): Under Laws, 1901, p. 588, chap. 96, secs. 1 and 2, and Laws, 1903, p. 117, chap. 118, sec. 1, authorizing the recovery from a school district for tuition of its residents in a high school where the school district does not maintain a high school, and Laws, 1905, p. 505, chap. 90, sec. 1, authorizing the school district to contract for the tuition of its residents in a high school or academy in another district, where a school district voted to contract with a certain academy and to pay the tuition of pupils then in a certain high school, parents paying tuition of their children then in the high school are entitled to recover from the district the money paid, whether the vote of the district was valid or not.—Burbank *v.* School Dist. of Pembroke, 64 A, 17; 73 N. H., 540.

D 1251. **New Hampshire** (1907): Laws, 1901, p. 588, chap. 96, sec. 2, providing that a town, not maintaining a high school, which refuses to pay for tuition of any child attending a high school or academy, shall be liable therefor to the parent of the child paying or the town furnishing the tuition, gives parents and school districts maintaining approved schools an action against school districts which refuse to pay the tuition for which they are liable, but does not give an action to academies and approved schools as such.—New Hampton Institution *v.* Northwood School Dist., 68 A, 538.

D 1252. **New Hampshire** (1907): Under Laws, 1901, p. 588, chap. 96, as amended by Laws, 1903, p. 117, chap. 118, providing that any town not maintaining a high school shall pay for the tuition of any child attending a high school or academy, and defining a high school or academy as a school having at least one four-year course required for admission to college, etc., and Pub. Stat., 1891, chap. 89, secs. 9–13; Laws, 1899, p. 318, chap. 77; and Laws, 1905, pp. 411, 505, chaps. 19, 90, authorizing the maintenance of high schools, etc., a district maintaining a high school with one course of instruction is not liable for the tuition of children who, having taken that course, attend an approved school in another district, and a district not maintaining a high school is not liable for the tuition of children attending an approved school after having graduated from an approved school.—New Hampton Institution *v.* Northwood School Dist., 68 A, 538.

1253. **New York:** Amending sec. 4, chap. 659, Laws, 1905, as amended by chap. 258, Laws, 1906, relative to the erection of a new high school in the city of Syracuse.

Increasing total bond issue from $200,000 to $275,000.

Chap. 58, Mar. 20, 1907.

1254. **North Carolina:** *See enactment No. 148.*

1255*. **North Carolina:** Stimulating high-school instruction in the public schools of the State.

Authorizing county high schools to be established and maintained by county boards of education with consent of state board of education.

Chap. 820, Mar. 8, 1907.

1256*. **Ohio:** Repealing, and reenacting with amendments, sec. 1 (H. B. 171, p. 281, Laws, 1898), act of April 25, 1898 (sec. 4009–15, Revised Statutes, 1905), empowering township boards of education to establish township or joint township high schools, and to discontinue subdistrict schools when too small to justify their continuance, as amended April 25, 1904 (S. B. 57, p. 359, Laws, 1904), providing for joint high-school districts.

Providing that such joint high school shall be under the control of a joint high-school committee. Authorizing special tax, not exceeding 5 mills in any year, for such school.

H. B. 1023, p. 462, May 9, 1908.

1257. **Oregon:** Providing for the choice by an election of the location of the county high school in counties which have heretofore voted in favor of a county high school.

Chap. 80, Feb. 23, 1907.

1258. **Oregon:** Providing for the establishment of union high-school districts and for the maintenance and government of the same.

Providing for procedure for consolidation of districts for high-school purposes. Defining the constitution of union high-school board; powers and duties.

Chap. 101, Feb. 23, 1907.

1259. **Pennsylvania:** Amending act No. 23, Laws, 1905, permitting children residing in school districts in which no public high school is maintained to attend a high school in some other district, located near their homes, and providing for the payment of cost of tuition and schoolbooks.

Requiring attendance at the nearest or most convenient township or borough high school. Defining more clearly the method of calculation and payment of the cost of tuition and schoolbooks.

Act No. 163, May 23, 1907.

1260. **Pennsylvania:** Supplementing act No. 293, Acts, 1895, regulating the establishment, classification, and maintenance of high schools, the distribution of appropriations in aid of high schools, and the employment of teachers in high schools receiving state aid.

Authorizing the directors of adjacent townships or school districts to purchase real estate and erect buildings for joint high schools, and to issue bonds for said purpose; and providing for formation of high school boards to control and manage said schools.

Act No. 239, May 29, 1907.

1261*. **South Carolina:** Providing high schools for the state.

Authorizing the establishment of high schools by counties, townships, adjoining townships, or school districts, and incorporated towns or cities of not more than 1,000 inhabitants. Providing for adoptive elections, boards of trustees, special tax levies, and bond issues, for the classification of high schools, and for state aid. Appropriating annually $50,000.

Act No. 245, p. 518, Feb. 19, 1907.

1262. **Tennessee:** Amending sec. 9, chap. 254, Acts, 1903, relative to county boards of education.

Adding new subsection authorizing contracts with city boards of education or with private schools for the instruction of high school pupils and payment of the tuition thereof.

Chap. 520, Apr. 15, 1907.

1263*. **Utah:** Amending sec. 1831, Revised Statutes, 1898, relative to the union of school districts to form a high school district.

Constituting a county district of the first class a high school district, and endowing its board of education with all powers and duties provided for in sec. 1833, Revised Statutes, 1898.

Chap. 51, Mar. 14, 1907.

1264*. **Vermont:** Amending sec. 5, act No. 37, Acts, 1904, relative to high schools.

Defining and fixing authority of superintendent of education regarding standards for high schools and qualifications for pupils. Decision of, final.

Sec. 2, act No. 50, Dec. 19, 1906. (Apr. 1, 1907.)

1265. **Vermont:** Revising and continuing in force the act of Nov. 6, 1805; act No. 53, Acts, 1824; act No. 94, Acts, 1836; act No. 106, Acts, 1852, relative to the Essex County grammar school at Guildhall.

Providing for the establishment, revival, and management of the school.

Act No. 346, Dec. 12, 1906.

D 1266. **Vermont** (1906): Under Acts, 1904, act No. 37, p. 61, requiring towns to establish and maintain a high school or furnish higher instruction for advanced pupils, and authorizing the board of school directors to provide for the instruction of advanced pupils in a high school or schools of the town, in the high school of an incorporated school district or academy within the town, or in the high schools or academies of other towns, the board of school directors has a discretion in determining which of the modes of furnishing high school instruction they will follow, and so long as they select one mode they can not be compelled by mandamus to select another mode in its place.—Sampson *v.* Town of Grand Isle, 63 A. 180; 78 Vt., 383.

1268. **West Virginia:** Amending and reenacting secs. 1, 3, 4, and 7, chap. 31, Acts, 1905, relative to the establishment of a high school in Tyler County.

Chap. 23, Feb. 22, 1907.

1269. **Wisconsin:** Creating sec. 490a, Statutes, 1898, relative to the powers of electors of school districts.

Authorizing vote to discontinue free high school organization. Procedure.

Chap. 588 (in part), July 12, 1907.

D 1270. **Wisconsin** (1908): Laws, 1901, p. 234, chap. 188, as amended by Laws, 1903, p. 525, chap. 329, authorizing persons of school age who may reside in any town or incorporated village not within a free high school district to attend a free high school, and making the municipality or part of the municipality having no high school in which such persons reside liable for high school tuition at a specified rate, is a valid exercise of legislative power.—City of Columbus *v.* Town of Fountain Prairie, 115 N. W., 111.

1271. **Wyoming:** Amending in a minor manner and reenacting secs. 2, 9, 10, 13, and 20, chap. 67, Laws, 1905, relative to county high school districts.

Chap. 57, Feb. 16, 1907.

1272. **Wyoming:** Providing for extending the territory of high school districts provided for in chap. 67, Laws, 1905.

Providing for incorporating therein school districts within the same county.

Chap. 58, Feb. 16, 1907.

O. TECHNICAL AND INDUSTRIAL EDUCATION—ELEMENTARY AND SECONDARY.

The vocational and industrial trend of public education finds no better evidence than in the enactments of this group, which group it was found desirable to create in order that due prominence might be

given to the latest legislative efforts to further the development of elementary and secondary technical training. Practically all of these enactments are worthy of special mention; that of Connecticut (1274), that of Georgia (1277), that of Michigan (1281), that of Mississippi (1282), that of New York (1287), that of Oklahoma (1291), and that of Wisconsin (1295), however, may be selected as representing efforts of various sorts.

The establishment of a commission on industrial education in New Jersey (1284) and also in Maryland (1278), following the example of Massachusetts several years ago, is an event in the future development of industrial and technical education in that State.

1273. **Alabama:** Amending sec. 12, act No. 988, p. 182, Laws, 1901, granting a new charter to the Alabama Girls' Industrial School and conferring additional powers upon the board of trustees.

Modifying appointment of free students. Providing for condemnation proceedings to secure land. Making trustees ineligible for election to any office by board of trustees.

Act No. 642, p. 579, Aug. 6, 1907. Secs. 1913, 1924, and 1928, Code, 1907.

1274. **Connecticut:** Concerning the establishment of free public schools for instruction in the principles and practice of trades.

"SECTION 1. Any town or school district may, by vote of such town or district, establish and maintain a free public school for instruction in the principles and practice of such distinct trades as may, with the approval of the state board of education, be designated by the board of school visitors, town school committee, or board of education of such town, or the district committee of such district. Such school shall be open, under such rules as may be prescribed by said school officers, to all residents of this state; but no child under sixteen years of age shall be admitted to any such school who has not completed the studies of the eighth grade in the public schools of the town in which said school is located, or an equivalent course of study approved by said school officers. Said school officers shall make rules and regulations with reference to the management of said school not inconsistent with the provisions of this act. The instructors in any such schools shall be experts in the trades respectively taught by them.

"SEC. 2. Two or more towns may, by vote of each of said towns, unite for the purpose of forming a trade school district and establishing schools under the provisions of this act, and the school officers of the towns so united may make all arrangements, agreements, and regulations necessary to the organization and maintenance of such trade school district. The said school officers of each of the towns constituting such district shall appoint one of their number to be a member of the trade school committee of such district, and the committee so appointed shall be a joint committee on behalf of the several towns constituting the district. Each town shall be entitled to one vote in said committee. Every district organized under the provisions of this section shall continue for at least five years, but at the end of said period of five years any town may dissolve said district by withdrawal therefrom, by vote of such town; provided, that notice of the intention to so withdraw shall be given in writing to each of the other towns comprising said district at least three months before the termination of said period.

"SEC. 3. The buildings, equipment, and courses of study, and the qualifications of the teachers of every trade school established as hereinbefore provided shall be subject to the approval of the state board of education; and the attendance at each such school, together with special reports upon the specific work done and the actual results of instruction therein shall be annually certified under oath on or before the first Monday in July by the secretary of the board of school visitors, town school committee, board of education, district committee, or trade school district

committee, as the case may be, to said state board of education; and no payments shall be made by the state on account of such school, as hereinafter provided, unless said certificate has been filed with and approved by said state board of education, and unless application for state aid for said school has been made to the board of control by said secretary and approved by said board of control.

"SEC. 4. The board of education or board of school visitors of any town, or the committee of any town, school district, or trade school district wherein a trade school has been established under the provisions of this act shall, annually, on the first Monday in July, certify to the comptroller the amount expended within said school year for the maintenance and support of said school and the comptroller shall, upon application of the state board of education, draw his orders on the treasurer in favor of said board of education, board of school visitors, or committee for a sum equivalent to one-half the amount so certified as having been expended for such support and maintenance; provided, that the amount so paid by the state under the provisions of this section shall not, in any one year, exceed, in the aggregate, fifty thousand dollars; and provided, further, that said sum shall be expended toward the support and maintenance of not more than two such schools, and, if application is made in behalf of more than two such schools, the board of control shall designate the two such schools for the support and maintenance of which such payments shall be made."

Chap. 250, July 30, 1907.

1275. **Florida:** *See enactment No. 461.*

1276. **Georgia:** Recommending appropriations by Congress for industrial instruction.

"Whereas, Several bills have been introduced in Congress which purpose to furnish means of enlarging existing high schools devoted to instruction in agriculture and other industrial subjects, it is hereby:

"Resolved by the Senate, the House of Representatives concurring, that we respectfully urge upon Congress the wisdon of thus extending to the many the class of industrial instruction so well supplied to the few in our State College of Agriculture and Mechanic Arts, as founded by Congress through the land grant act of 1862.

"Resolved, further, that such legislation be passed that will establish such schools of secondary grade in agriculture, the mechanical trades and industries and home making suited to all country and city youth, and that there be provided for agricultural high schools farms such as these in Georgia, means with which to carry on such agricultural investigations as the local conditions may require:

Resolved further, That a copy of these resolutions be transmitted by the secretary of state of Georgia to the President of the United States, and to our Senators and Representatives in Congress, to the end that they may encourage the passage of this measure known as the Davis bill (H. R. 24575) introduced at the close of the Fifty-ninth Congress, entitled: 'A bill to provide an annual appropriation for industrial education in agricultural high schools and in city high schools and for branch agricultural experiment stations, and regulating the expenditure thereof.'"

Con. Res. No. 6, p. 994, Aug. 22, 1907.

1277. **Georgia:** Providing for the establishment and maintenance of schools of agriculture and mechanic arts in the respective congressional districts of the State.

"SECTION 1. Be it enacted, * * * That the governor is hereby authorized to establish and cause to be maintained in each congressional district of the State an industrial and agricultural school in accordance with further provisions of this act. Said schools shall be branches of the State College of Agriculture, a department of the University of Georgia. The general board of trustees of the University shall exercise such supervision as in their judgment may be necessary to secure unity of plan and efficiency in said schools.

"SEC. 2. Be it further enacted, That all fees received from inspection of fertilizers, oils, and all other inspection fees received by the department of agriculture in this State, after the present year, over the expenses of such inspection, and after any portion of said fund otherwise appropriated, shall be used as a fund for the purpose of establishing and maintaining such shools, and, as far as practicable, be equally divided between such schools, and the said governor is authorized to pay to the trustees of said schools, from time to time, their respective portions of said fund.

"SEC. 3. Be it further enacted, That the governor is authorized and directed to appoint from each county in the respective congressional districts one trustee for the school to be established in such districts; such trustee to hold office for the term of six years from his appointment and until his successor is appointed, and that the trustees so selected in each district shall constitute a board of trustees for the school in said district, with power to control the management of said school, and make rules and regulations for the same, subject to the provisions of this act.

"SEC. 4. Be it further enacted, That the governor shall be authorized to receive from any county, or any of the citizens thereof, a donation of a tract of land in such county, not less that two hundred acres, on which to locate a school for the district in which such county is situated, together with any additional donation in the way of buildings or money; and if there are two or more offers of such donations, the governor, with the aid of the trustees of such school, shall select which to accept, taking into consideration the title, value, the centralness of location, accessibility and suitableness in any respect for the purpose intended, and upon the acceptance of any such donation, and the execution of proper deeds vesting title in the trustees, within a reasonable time, the school for said district shall be established on the tract selected, with the right to select another locality should such deeds not be made to the satisfaction of the governor. And if no such donation is made or perfected in any district within one year from passage of this act the pro rata share of the fund going to said district shall go into and be prorated in the regular common school fund in said district.

"SEC. 5. Be it further enacted, That the principal of said schools shall, under the direction of the trustees, keep an account of all receipts from the sale of the products of the farm or shops which are not consumed in said school, and one-half of said receipts for each year shall be set aside as a fund to pay the students. That each pupil, having performed to the satisfaction of the principal his duties for an entire school year, shall receive his pro rata of said fund, the amount going to each pupil not to exceed one hundred dollars, and the balance, if any, to be replaced in the general fund of the school.

"SEC. 6. Be it further enacted, That the course of studies in said schools shall be confined to the elementary branches of an English education, the practical treatises or lectures on agriculture in all its branches, and the mechanic arts, and such other studies as will enable students completing the course to enter the freshman class of the State College of Agriculture on certificate of the principal.

"SEC. 7. Be it further enacted, That the faculty of such schools shall consist of the principal, who shall be an intelligent farmer; one superintendent and instructor in farm work, one intelligent mechanic, who shall direct and instruct in all mechanical work in and out of the shops; one practical instructor in care of stock and dairying, one instructor in English, and such other instructors and assistants as the funds of the college may permit. That the trustees may dispense with and combine the duties of any of the above, as necessity may require, and it shall be the duty of said instructors in said schools to cooperate in conducting farmers' institutes and farm and stock demonstrations in the several counties of their respective districts.

"SEC. 8. Be it further enacted, That after the first buildings are erected, before the opening of such schools, which shall be only such as are absolutely necessary for temporary use, all work on, in and about said schools, or on the farm, or on or in the barns and shops connected with said schools, whether it be farming, building, care of stock, or work of whatever kind, shall be performed exclusively by the students of said

schools, under such regulations for the proper division and alterations in such work as may be provided by the trustees.

"SEC. 9. Be it further enacted, That tuition in said schools shall be free, and the trustees may limit the number of students, from time to time, according to the capacity and means of the institution, and shall make such rules of admission so as to equalize, as far as practicable, the privileges of the school among the counties according to population. And the trustees may defer the actual opening of the school until such time as may be necessary to prepare reasonably proper facilities and equipment for beginning the same, in the meantime accumulating for said purpose the funds going to said school which may be received from the rent of any portion of the property, but it is made the duty of the trustees to open said school, even though it may have to be done at first on a limited scale, as early as practicable, and afterwards extend its operations as circumstances may permit; and the trustees are authorized to rent to the best advantage, from time to time, any portion of the property of said school not required for the purpose of said school.

"SEC. 10. Be it further enacted, That all laws and parts of laws in conflict with this act be, and the same are, hereby repealed."

Act No. 448, p. 72, Aug. 18, 1906.

1278. **Maryland:** Authorizing the governor to appoint a commission on industrial education.

Five members. Report to next legislature. Appropriating $300.

Chap. 367, p. 298, Apr. 6, 1908.

1279. **Massachusetts:** Providing for an inquiry by the commission on industrial education into the organization and methods of the textile schools of the Commonwealth.

Resolves, chap. 64, Apr. 24, 1907.

1280. **Massachusetts:** Relative to the commission on industrial education. (Amending chap. 505, Acts, 1906.)

Extending term of commission from three years to five years. Providing for the appointment of a woman as an additional member. Specifying further the powers of the commission with reference to independent industrial schools.

"SEC. 4. Any resident of Massachusetts may, with the approval of the commission on industrial education, attend an independent industrial school, as provided for in this act, located in any city or town other than that in which he resides, provided there is no such school supported in whole or in part by the city or town in which he resides, upon payment by the city or town of his residence of such tuition fee as may be fixed by said commission; and the commonwealth shall repay to any city or town one half of all such payments. If any city or town neglects or refuses to pay for such tuition it shall be liable therefor, in an action of contract, to the legally constituted authorities of the school which the pupil attended under the approval of said commission."

Chap. 572, June 2, 1908.

1281*. **Michigan:** Providing for the establishment of free county schools of agriculture, manual training, and domestic economy.

"SECTION 1. The board of supervisors of any county is hereby authorized to appropriate money for the organization, equipment and maintenance of a county school of agriculture and domestic economy. The board of supervisors of two or more counties may unite in establishing such a school, and may appropriate money for its organization, equipment and maintenance: *Provided*, That whenever the board of supervisors of the county shall by a two-thirds vote of all members elect, resolve to contract indebtedness or issue bonds to raise money for the organization, equipment and maintenance of such school, the question shall be submitted to the vote of the electors of the county at a general or special election to be called for that purpose. Notice of the submission of such resolution to the vote of the electors and in case a special election is called, notice of the calling of such special election shall be

given in the same manner and for the same length of time as is now prescribed by law for general elections. If a majority of the electors of each county, voting on such resolution, shall vote in favor thereof, it shall be deemed to have carried. The returns of the election herein provided for shall be canvassed and the results declared in the same manner and by same officers as is provided by general law for canvassing the returns of and declaring the results in city, county and district elections. The manner of stating the question upon the ballots shall be prescribed by the resolution of the board of supervisors.

"SEC. 2. A board to be known as the county school board is hereby created, which shall have charge and control of all matters pertaining to the organization, equipment and maintenance of such schools, except as otherwise provided by law. Said board shall consist of five members, one of whom shall be the county commissioner of schools of the county or district in which the school is located. The other members of the board shall be elected by the board of supervisors, one for one year, one for two years, one for three years and one for four years, and thereafter one member of the board shall be elected annually for the full term of four years from the date of the expiration of the term about to become vacant, but no member of the board of supervisors shall be eligible. Vacancies existing in the board from whatever cause, except in the case of the county commissioner, shall be filled by appointment made by the chairman of the board of supervisors, if the board of supervisors is not in session when such vacancy occurs. If the board of supervisors is in session, vacancies shall be filled by election by said board for the unexpired term. Appointments made by the chairman of the board of supervisors, as hereinbefore specified, shall be for the period of time until the next regular meeting of the board of supervisors. Each person appointed or created a member of the county school board shall, within ten days after the notice of such appointment, take and subscribe an oath, to support the Constitution of the United States and the constitution of Michigan, and honestly, faithfully and impartially to discharge his duties as a member of said board to the best of his ability, which oath shall be filed in the office of the county clerk. He shall also, within the same time, file a bond in such sum as may be fixed by the board of supervisors, which bond shall be filed in the office of the county clerk. Within fifteen days, after the appointment of said board, the members thereof shall meet and organize by electing one of their number as president. The county commissioner of schools shall be ex officio secretary of the said board. The board hereafter created shall prescribe the duties of the several officers except as fixed by law.

"SEC. 3. Whenever two or more counties unite in establishing such a school, the provisions of section two of this act shall apply to the organization of the county school board, and to filling vacancies therein: *Provided*, That the county commissioner of the county in which the school is located shall be a member of the board and ex officio its secretary; and two members shall also be elected from each county by the board of supervisors thereof, one for one year and one for two years, and thereafter one member of the board shall be elected annually in each county for the full term of two years, but no member of the county board of supervisors shall be eligible.

"SEC. 4. Whenever two or more counties shall unite in establishing and maintaining a school under the provisions of this act, the county school board herein provided shall, on or before the first day of October in each year, determine the amount of money necessary for the equipment and maintenance of said school for the ensuing year, which said amount they shall apportion among the counties in proportion to the assessed valuation of each county as last fixed by the state board of equalization and shall report their estimate and apportionment to the county clerk of each county, who shall lay said report before the board of supervisors at its annual meeting. The amount so apportioned to each county shall be levied by the board of supervisors of such county, as a portion of the county tax for the ensuing year, for the support of the said school.

"SEC. 5. The county treasurer of the county in which said school is located shall be ex officio treasurer of said board; all moneys appropriated and expended under the provisions of this act shall be expended by

the county school board and shall be paid by the said county treasurer on orders issued by said board or in counties having a board of county auditors, by such auditors, and all moneys received by said board shall be paid to the said county treasurer for the fund of the county school board.

"SEC. 6. In the county schools of agriculture and domestic economy organized under the provisions of this act, instruction shall be given in the elements of agriculture including instruction concerning the soil, the plant life, and the animal life of the farm; a system of farm accounts shall also be taught; instructions shall also be given in manual training and domestic economy and such other related subjects as may be prescribed.

"SEC. 7. Each such school shall have connected with it a tract of land suitable for purposes of experiment and demonstration, of not less than ten acres in area.

"SEC. 8. The schools organized under the provisions of this act shall be free to the inhabitants of the county or counties contributing to their support, who shall be qualified to pursue the course of study as prescribed by the school board. Whenever students of advanced age desire admission to the school during the winter months in sufficient number to warrant the organization of special classes for their instruction, such classes shall be organized and continued for such time as their attendance may make necessary.

"SEC. 9. The state superintendent of public instruction shall give such information and assistance and establish such requirements as may seem necessary for the proper organization and maintenance of such schools, and, with the advice of the president of the Michigan State Agricultural College, determine the qualifications required of teachers employed in such schools: *Provided*, That no person shall be eligible to a position as superintendent of any school established under this act, who is not a graduate of a state college of agriculture. The state superintendent of public instruction shall have the general supervision of all schools established under this act; shall from time to time inspect the same, make such recommendations relating to their management as he may deem necessary, and make such report thereon to said schools as shall give full information concerning their number, character and efficiency. * * *"

Act No. 35, Apr. 3, 1907.

1282*. **Mississippi:** Providing for the establishment of county agricultural high schools, and providing for their organization, equipment, and maintenance.

Authorizing one school in each county. Maximum tax, 2 mills. One thousand dollars annual state aid.

Chap. 102, Mar. 21, 1908.

1283. **Mississippi:** Authorizing county boards of supervisors to offer prizes to corn clubs of the public schools.

Maximum total sum to be allowed annually not to exceed $50.

Chap. 104, Mar. 16, 1908.

1284*. **New Jersey:** Authorizing the governor to appoint a commission to inquire into the subject of industrial education and report thereon to the next legislature.

Appropriating $3,000 for expenses. No compensation to commissioners.

Jt. Res. No. 9, Apr. 14, 1908.

1285. **New Jersey:** Amending sec. 203, chap. 1, Laws, 1903 (sp. sess., Oct. 15), relative to appropriations for the manual training and industrial school for colored youth.

Increasing annual amount due under provisions of the supplement to the act of Congress, Aug. 13, 1890, from $5,000 to $12,000.

Chap. 120, May 7, 1907.

1286. **New Jersey:** Relating to schools for industrial education in cities of the second class.

Authorizing the trustees of the school for industrial education in any such city, with the consent of the governing body of the city, to erect suitable buildings for an industrial school; providing the cost of the land and buildings shall not exceed $50,000; authorizing the issuance of bonds therefor.

Chap. 222, May 27, 1907.

1287*. **New York:** Amending secs. 25–28, art. 10, tit. 15, consolidated school law (chap. 556, Laws, 1894), by providing for the establishment and maintenance of general industrial and trade schools in cities and in union free school districts, and making an appropriation therefor.

" * * * SEC. 25. *General industrial and trade schools may be established.* 1. The board of education of any city, and in a city not having a board of education the officer having the management and supervision of the public school system, may establish, acquire, conduct and maintain as a part of the public school system of such city general industrial schools open to pupils who have completed the elementary school course or who have attained the age of 14 years, and trade schools open to pupils who have attained the age of 16 years and have completed either the elementary school course or a course in the above mentioned general industrial school or who have met such other requirements as the local school authorities may have prescribed.

"2. The board of education of any union free school district shall also establish, acquire and maintain such schools for like purposes whenever such schools shall be authorized by a district meeting.

" SEC. 2. Section 25a is hereby added to article 10, title 15, of the consolidated school law and to read as follows:

" SEC. 25a. 1. *Appointment of an advisory board.* The board of education in a city and the officer having the management and supervision of the public school system in a city not having a board of education shall appoint an advisory board of five members representing the local trades and industries. In the first instance two of such members shall be appointed for a term of one year and three of such members shall be appointed for a term of two years. Thereafter as the terms of such members shall expire the vacancies caused thereby shall be filled for a full term of two years. Any other vacancy occurring on such board shall be filled by the appointing power named in this section for the remainder of the unexpired term.

"2. It shall be the duty of such advisory board to counsel with and advise the board of education or the officer having the management and supervision of the public school system in a city not having a board of education in relation to the powers and duties vested in such board or officer by section 26 of this act.

" SEC. 3. Section 26 of article 10 of title 15 of the consolidated school law is hereby amended to read as follows:

" SEC. 26. *Authority of the board of education over such schools.* The board of education in a city and the officer having the management and supervision of the public school system in a city not having a board of education and the board of education in a union free school district which authorizes the establishment of a general industrial or a trade school is vested with the same power and authority over the management, supervision and control of such school and the teachers or instructors employed therein as such board or officer now has over the schools and teachers under their charge. Such boards of education or such officer shall also have full power and authority:

"1. To employ competent teachers or instructors.

"2. To provide proper courses of study.

"3. To purchase or acquire sites and grounds and to purchase, acquire, lease or construct and to repair suitable shops or buildings and to properly equip the same.

"4. To purchase necessary machinery, tools, apparatus and supplies.

" SEC. 4. Section 27 of article 10 of title 15 of the consolidated school law is hereby amended to read as follows:

"SEC. 27. *State aid for general industrial and trade schools.* The commissioner of education in the annual apportionment of the state school moneys shall apportion therefrom to each city and union free school district the sum of $500 for each independently organized general industrial or trade school maintained therein for 40 weeks during the school year and employing one teacher whose work is devoted exclusively to such school, and having an enrollment of at least 25 pupils and maintaining a course of study approved by him. He shall also make an additional apportionment to each city and union free school district of $200 for each additional teacher employed exclusively in such schools for 40 weeks during the school year. All such moneys apportioned by the commissioner of education shall be used exclusively for the support and maintenance of such schools in the city or district to which such moneys are apportioned. But the commissioner of education may in his discretion apportion to a district or city maintaining such schools or employing such teachers for a shorter time than 40 weeks, an amount pro rata to the time such schools are maintained or such teachers are employed. This section shall not be construed to entitle manual training high schools or other secondary schools maintaining manual training departments, to an apportionment of funds herein provided for.

"SEC. 5. Section 28 is hereby added to article 10, title 15, of the consolidated school law and to read as follows:

"SEC. 28. *Annual estimate by board of education and appropriations by municipal and school districts.* 1. The board of education of each city or the officer having the management and supervision of the public school system in a city not having a board of education shall file with the common council of such city within 30 days after the commencement of the fiscal year of such city a written itemized estimate of the expenditures necessary for the maintenance of its general industrial and trade schools and the estimated amount which the city will receive from the state school moneys applicable to the support of such schools. The common council shall give a public hearing to such persons as wish to be heard in reference thereto. The common council shall adopt such estimate and after deducting therefrom the amount of state moneys applicable to the support of such schools shall include the balance in the annual tax budget of such city. Such amount shall be levied, assessed and raised by tax upon the real and personal property liable to taxation in the city at the time and in the manner that other taxes for school purposes are raised. The common council shall have power by a two thirds vote to reduce or reject any item included in such estimate.

"2. The board of education in a union free school district which maintains a general industrial or trade school shall include in its estimate of anticipated expenses pursuant to the provisions of sections 9 and 18 of title 8 of this act the amount that will be required to maintain such schools after applying toward the maintenance thereof the amount apportioned therefor by the commissioner of education. Such amount shall thereafter be levied, assessed and raised by tax upon the taxable property of the district at the time and in the manner that other taxes for school purposes are raised in such district.

"SEC. 6. *Powers and duties of Commissioner of Education.* The commissioner of education shall have general supervision of such schools; he shall prescribe regulations governing the licensing of the teachers employed therein; and he is hereby authorized, empowered and directed to provide for the inspection of such schools, to take necessary action to make effectual the provisions of this act, and to advise and assist boards of education in the several cities and school districts in the establishment, organization and management of such schools. The sum of $7,000, or so much thereof as may be necessary, is hereby appropriated to the education department for the enforcement of this act, and the commissioner of education is hereby empowered to create such positions, to make such appointments and to fix the salary of employees as may be necessary for the purposes of this act for the period of one year.

"SEC. 7. This act shall take effect immediately."

Chap. 263, May 18, 1908.

1288. **North Dakota:** *See enactment No. 1430.*

1289. **North Dakota**: Amending sec. 1092, Revised Codes, 1905, relative to the object of the North Dakota Academy of Science.

Object of school to be "the training of skilled workmen in the practical phases of applied science."

Chap. 100 (in part), Mar. 19, 1907.

1290. **Ohio**: *See enactment No. 653.*

1291*. **Oklahoma**: Putting into force sec. 7, art. 13, of the constitution requiring the teaching of the elements of agriculture, horticulture, stock feeding, and domestic science in the common schools; creating a harmonious system of agriculture and industrial education for Oklahoma; providing for the establishment of departments of agricultural instruction in the state normal schools and for the chair of agriculture for schools in the agricultural and mechanical college; and providing for the establishment and maintenance of agricultural schools of secondary grade in each supreme court judicial district, with branch agricultural experiment stations and short courses for farmers in connection therewith.

"SECTION 1. That for the purpose of carrying out the requirements of the state constitution relating to the teaching of the elements of agriculture, horticulture and stock feeding, and domestic science in the common schools of the State, there is hereby created a state commission of agricultural and industrial education, consisting of the state superintendent of public instruction, who shall be chairman thereof; the president of the state board of agriculture, and the president of the agricultural and mechanical college, each of whom shall serve without additional pay. Said commission shall conform to the rulings of the state board of education, shall cooperate with all state normal schools, the agricultural and mechanical colleges, and the state board of agriculture, and said boards and institutions are hereby required to cooperate with the state commission of agricultural and industrial education as far as practicable, and without interfering with the more immediate duties of said boards and institutions. Said commission shall make a report in writing to the governor at least thirty days prior to the regular sessions of the legislature including the work done under its supervision and a complete account of all funds and their disbursements made in pursuance of this act, together with such recommendations as may, by said board, be deemed advisable.

"SEC. 2. The elementary principles of agriculture, horticulture, animal husbandry, stockfeeding, forestry, building country roads, and domestic science, including the elements of economics, shall be embraced in the branches taught in all the public schools of this state, receiving any part of their support from this state, and these branches shall be as thoroughly studied and taught by observation, practical exercises, and the use of text and reference books, and in the same manner as are other like required branches in said public schools.

"SEC. 3. The state superintendent of public instruction shall investigate and determine the character, extent and cost of courses of instruction in the branches provided for in this act, including manual training adapted to the different schools; and through bulletins and public addresses give information to school boards and communities as to the courses and character of instruction which have proved most satisfactory and best adapted to various schools. He shall determine and give information as to where the most thoroughly trained and best equipped teachers of subjects named in this act may be found, and shall formulate and recommend plans for the organization of training and normal schools for the preparation of teachers of said subjects. He shall, in all proper ways, seek to awaken an active interest among teachers in the subjects required to be taught in this act and shall, in all proper ways, awaken public sentiment to the importance of teaching said subjects in the common schools and all public schools with efficiency and success, and shall make such investigations as may be necessary for the proper performance of his duties as prescribed in this act.

"SEC. 4. All county superintendents of education shall file a written report with the president of the state board of education annually at

such time as the president of said board may require, concerning the cost, character and extent of such courses of instruction in the branches provided to be taught in this act, in their respective counties, together with such reports on work done and suggestions in relation thereto as the president of the state board of education may require.

"SEC. 5. After July 1st, 1909, no person shall teach and no certificate will be granted to an applicant to teach, in the public schools receiving aid from this state, who has not passed a satisfactory examination in the elements of agriculture and allied branches mentioned in this act. It shall be the duty of teachers in all schools receiving aid from the state to file quarterly, or at such times as the county superintendent may require, a written report from the county superintendent of public instruction of their respective counties, in full detail, of any progress or work done in the different branches required to be taught under the terms of this act, together with such recommendations as they may deem advisable, and such other information as the county superintendent may require. Any teacher, whose duty it is to instruct in branches required to be taught by this act, who fails or neglects to comply with the provisions of this act, shall be discharged.

"SEC. 6. The state normal schools, and like schools to be hereafter created, shall lend specific assistance in carrying out the work of instruction in the elements of agriculture and allied branches named in this act, in the same manner as teachers are prepared for other required subjects and shall render such cooperation and active support through their respective presidents, officers, and teachers as will best contribute to the successful introduction and support of a successful system of agricultural and industrial education for the schools of the state. There shall be established in each of the state normal schools, located or to be hereafter located, a department to be known as the department of agricultural and industrial education, with a professor in charge, which shall give such instruction in the regular course or courses, as may be deemed necessary for the instruction of teachers in the public schools of the state. For the purpose of establishing such departments there is hereby appropriated out of the treasury for the maintenance, support, and equipment of said departments the sum of two thousand five hundred dollars, or so much thereof as may be necessary, for each of said departments established in pursuance of this act in the three existing normal schools.

"SEC. 7. The agricultural and mechanical college shall be the technical head of the agricultural, industrial, and allied science system of education, and its president, professors and employees shall lend such assistance in carrying out the objects, aims, and purposes of the state constitution requiring the teaching of agriculture and allied practical subjects as shall not conflict with the immediate duties incumbent on them in said institution.

"SEC. 8. There is hereby created the chair of agriculture for schools, who shall be a member of the faculty of the agricultural and mechanical college, whose duty shall be to direct and advise in all matters relating to the teaching of agriculture and allied subjects in the common schools, under the supervision of the president of the agricultural and mechanical college, and he shall be paid from the funds of the agricultural and mechanical college. He shall visit the schools, the teachers' institutes, the summer normal schools, and the state normal schools, advise with the teachers and officers concerned, and plan such means of cooperation in the improvement of methods, appliances, the use of seeds, plants, and trees as may from time to time be necessary, and shall prepare, print and distribute such leaflets and other literature as may be helpful to teachers and pupils concerned or engaged in teaching industrial, practical, and scientific subjects bearing on technical and practical agriculture and its allied branches.

"SEC. 9. It shall be the duty of the agricultural and mechanical college, under the board of agriculture, (ex officio board of regents of said institution) to carry on all natural history surveys, soil surveys, mineral and forestry surveys that are now provided for by the laws of the state, or that may hereafter be provided for, and it shall be the duty of said agricultural and mechanical college to cooperate with the National Department of Agriculture in carrying out the surveys herein mentioned, and in the construction of country roads, and in all ways and by all

means to supply the schools and the people with agricultural, industrial, and technical facts demanded by the spirit of this act.

"SEC. 10. Any student having completed the regular four years' course of study of the agricultural and mechanical college and receiving a diploma from said college, shall be granted a permanent teachers' certificate of first grade by the state superintendent of public instruction, when application for such certificate has been duly made and approved by the state commission of agricultural and industrial education.

"SEC. 11. The state commissioners of agricultural and industrial education, with the assistance of such experts in agricultural education as may be secured from the State and National Departments of Agriculture, shall have the authority and it shall be their duty to prepare a detailed course of study in the elements of agriculture and allied subjects, domestic science, and economics adapted to the needs of instruction in the elementary and secondary schools of the State. The commission shall prepare a syllabus of the course of study in each subject, in such detail and with such elaboration of the body of knowledge to be considered as may be necessary for the organization and administration of the proper courses of instruction in said branches. In preparing the courses of study required to be taught by this act, any of said subjects may be combined in one text-book so they will be adaptable to the various schools in which they are taught, at the same time, so far as possible, giving practical educational values to each subject. Upon the satisfactory completion of said course of study, as evidenced by a diploma or certificate signed by the county superintendent, pupils shall be admitted to the subfreshman or higher class of the agricultural and mechanical college without further examination. It shall be the duty of the president of the agricultural and mechanical college each year to send to each school in this State, where such branches as required by this act are taught, a catalogue, and upon application to furnish said schools such other information as may be desired relative to said college. Such catalogues and other information shall be kept in each school for reference.

"SEC. 12. It shall be the duty of the state superintendent of public instruction to secure at least twice a year, a set of examination questions in all the studies required for admission to the agricultural and mechanical college, and he shall send a printed list of same to each county superintendent, which shall be used in examining candidates who may desire to enter said college.

"SEC. 13. It shall be the duty of the county superintendent to give public notice of the examination provided for in the preceding section at the time of all regular teachers' examinations, and to submit such questions to any candidate who may desire to enter the agricultural and mechanical college. The examinations shall be conducted in the same manner as are regular teachers' examinations of the county. The work of each and every candidate, together with the name and address, shall be forwarded by the state superintendent within ten days from the date of the examination, and by him to the president of the college, who shall examine and grade the answers, and report to the candidate as soon as possible, after the receipt of the paper, the result of the examination. An average grade of seventy per cent in each branch will admit the candidate to the agricultural and mechanical college without further examination.

"SEC. 14. There shall be established in each of the supreme court judicial districts a district agricultural school of secondary grade for instruction in agriculture and mechanics and allied branches, and domestic science, and economics, with courses of instruction leading to the agricultural and mechanical college, and the state normals. At least two of said agricultural schools shall be located and established, beginning July nineteen hundred eight, and every two years thereafter, until one of said agricultural schools shall have been provided for in each supreme court judicial district; provided, that each of said agricultural schools shall be provided with not less than eighty acres of land without cost to the state and deeded in perpetuity to the state. The location, operation, and equipment of said agricultural schools shall be under the administration of the state commission of agricultural and industrial education, subject to the approval of the board of agriculture.

"SEC. 15. There shall be an experimental farm, operated by each of said agricultural schools, on which careful trials shall be made of the best fruits, vegetables, flowers, field and forage crops, fertilizers, and stock feeds for that section, as well as the systems of dairying, drainage, irrigation and farm management that may be considered of practical value and adapted to the needs of the people in such supreme court judicial districts; provided that each district agricultural school shall make at least one report annually to the governor of the State covering all work done, its cost, the results, and the probable value of such experiments, which report shall be published for free distribution to farmers, fruit and vegetable growers and stockmen in the supreme court judicial district in which said school is located.

"SEC. 16. There shall be held annually by each of said agricultural schools a farmers' short course extending over at least one week and embracing practical and elementary scientific instruction in those branches of agriculture that may be deemed most important in the supreme court judicial district in which any such agricultural school is located at the time such course of instruction is to be provided, including a course in domestic economy, canning, preserving and cooking. There shall be no fees charged for attendance on these practical courses of instruction and no entrance examinations may be required; provided, that all citizens of the white race over fifteen years of age shall be entitled to admission to such courses.

"SEC. 17. No courses of instruction shall be offered in such agricultural schools other than industrial courses, but this shall not exclude teaching the common school branches, the languages, manual training, manufacture, the sciences, and other necessary studies as subjects in the industrial courses.

"SEC. 18. There is hereby appropriated out of the building fund of the state treasury for the purpose of erecting the necessary building or buildings, for the first two schools, the sum of twenty thousand dollars for each school, and out of the state treasury for the maintenance and support of such school the sum of twelve thousand dollars for each school per annum for maintenance during the first year; provided, that one-fourth of the sum herein appropriated for the support and maintenance of such schools shall be expended in developing agricultural experiment in field, barn, orchard, shops, and garden of practical value to students of the school and to farmers of the supreme court judicial district in which such school may be located.

"SEC. 19. The state commission of agricultural and industrial education is hereby authorized, subject to the approval of the board of agriculture, to advertise for plans and specifications and to contract under the terms of this act for the construction of such buildings subject to such laws as are in force governing the advertising for plans and specifications and the construction of other public buildings.

"SEC. 20. All acts and parts of acts in conflict herewith are hereby repealed.

"SEC. 21. An emergency is hereby declared, by reason whereof it is necessary for the immediate preservation of the public peace and safety that this act take effect from and after its passage and approval."

Chap. 3, S. B. 109, p. 13, May 20, 1908.

1292. **Oklahoma**: Establishing an industrial institute and college for girls, and providing for its location and government.

Chap. 70, S. B. 249, p. 614, May 16, 1908.

1293. **Wisconsin**: Creating secs. 926—22 to 926—30, inclusive, Statutes, 1898, providing for the establishment and maintenance of trade schools.

"SECTION 926—22. Any city in the State of Wisconsin or any school district having within its limits a city desiring to establish, conduct and maintain a school or schools for the purpose of giving practical instruction in the useful trades to persons having attained the age of sixteen years, as a part of the public school system of such city, is empowered to do so by complying with the provisions of sections 926—23 to 926—30, inclusive, statutes of 1898.

"926—23. Such trade school or schools shall be under the supervision and control of the school boards of the respective cities or school districts in which they may be located.

"926—24. The school board of every such city or school district is given full power and authority to establish, take over and maintain a trade school or schools, equip the same with proper machinery and tools, employ a competent instructor or instructors, and give practical instruction in one or more of the common trades. Such a trade school shall not be maintained, however, unless there be an average enrollment of at least thirty scholars.

"926—25. Whenever any school board shall have established or taken over an established trade school, such school board may prepare the courses of study, employ instructors, purchase all machinery, tools and supplies, purchase or lease suitable grounds or buildings for the use of such school and exercise the same authority over such school which it now has over the schools under its charge.

"926—26. Whenever any school board shall have established or taken over an already established trade school or schools it may appoint an advisory committee, to be known as the committee on trade schools, consisting of five citizens, not members of the school board, each of whom is experienced in one or more of the trades to be taught in the school or schools, to assist in the administration of the trade school or schools located in that city, which committee shall be appointed by the president of such school board with the approval of a majority of the board. Such committee shall have authority, subject to the approval and ratification of the school board, to prepare courses of study, employ or dismiss instructors, purchase machinery, tools and supplies, and purchase or rent suitable grounds or buildings for the use of such trade schools. When any such committee on trade schools is appointed two of its original members shall be appointed for the term of one year, another two for the term of two years, and the fifth member for a term of three years, and thereafter, each member of said committee shall be appointed for the term of two years. In case of any vacancy during the term of any member of said committee, said school board shall fill such vacancy by appointment for such unexpired term.

"926—27. Students attending any such trade school may be required to pay for all material consumed by them in their work in such school at cost prices or in lieu thereof the school board may establish a fixed sum to be paid by each student in each course which sum shall be sufficient to cover, as nearly as may be, the cost of the material to be consumed in such course; any manufactured articles made in such school may be disposed of at the discretion of the school board, and the proceeds shall be paid into the trade school fund.

"926—28. Whenever any such school board shall have decided to establish a trade school or schools, or to take over one already established, under the provisions of this act, a tax, not exceeding one half of one mill on the total assessed valuation of such city shall be levied, upon the requisition of the school board, as other school taxes are levied in such city; the fund derived from such taxation shall be known as the trade school fund, shall be used in establishing and maintaining a trade school or trade schools in such city, shall not be diverted or used for any other purpose whatsoever, and may be disposed of and disbursed by the school board of such city in the same manner and pursuant to the same regulations governing the disposition and disbursement of regular school funds by such boards.

"926—29. Any school board desiring to avail itself of the provisions of this act, may, before the trade school fund herein provided for becomes available, establish, take over, equip and maintain a trade school or schools out of the regular school funds which may be at the disposal of such school board, provided, however, that all moneys used for these purposes out of the regular school funds shall be refunded within three years from the trade school fund.

"926—30. 1. When the school board of any city of the second, third or fourth class, or the school board of any school district having within its limits such a city, shall determine to establish, take over, conduct or maintain such trade school, it shall publish notice of its intention so to do with a copy of the resolution or order expressing such determination

once each week for four successive weeks in a newspaper published in said school district and shall take no further steps in said matter until the expiration of thirty days from the date of the first publication.

"2. If within such thirty days there shall be filed with the clerk of such city a petition signed by a number of electors of the school district equal to twenty per centum of the number of votes cast in said city at the last municipal election praying that the question of the establishment, taking over, conduct and maintenance of such trade school shall be submitted to the vote of the electors of such school district, the city clerk shall at the earliest opportunity lay such petition before the common council. The common council shall thereupon at its next regular meeting by resolution or ordinance direct the city clerk to call a special election for the purpose of submitting such question to the electors of such city and school district.

"3. Such election shall be noticed and conducted and canvassed in accordance with the provisions of section 943, statutes of 1898. All electors within the territory constituting such school district, qualified to vote at any election pertaining to school district matters shall be entitled to vote.

"4. If any of said school districts shall be beyond the limits of such city, the city clerk shall immediately upon the passage of the resolution or ordinance by the city council ordering such election, transmit a copy thereof to the clerk of the town or towns of which such territory is constituted. The clerk or clerks of said towns shall thereupon cause a notice of such election to be given and such election to be held and canvassed as provided in section 943.

"5. If a majority of the ballots cast in such school district shall be in favor of the establishment, taking over, conducting and maintenance of such trade school, then such board shall proceed as heretofore provided to establish, take over, conduct and maintain such trade school. But if a majority shall vote against such proposition to establish, take over, conduct and maintain a trade school, the board shall take no further steps towards such end.

"6. If no petition to submit such proposition to establish, take over or maintain a trade school to the vote of the electors shall be filed with the city clerk within thirty days after the first publication of the notice of the determination of the school board to take such action, then such school board may proceed as hereinbefore provided without submitting such proposition to the electors of the district."

Chap. 122, May 22, 1907.

1294. **Wisconsin**: Creating sec. 490m of the Statutes, relating to the establishment of technical schools and colleges by cities.

Cities may establish technical schools; referendum.

Chap. 344, June 24, 1907.

1295. **Wisconsin**: Amending sec. 10, chap. 288, Laws, 1901, as amended by chap. 143, Laws, 1903 (sec. 553 l, Statutes), relative to the number of county schools of agriculture and domestic economy.

Increasing the maximum number of schools to be established from four to eight.

Chap. 540, July 10, 1907.

1296. **Wisconsin**: Creating secs. 392m to 392t, inclusive, Statutes, 1898, relative to the establishment of a state mining trade school and making an appropriation therefor.

Providing for the establishment of the Wisconsin mining trade school at Platteville, to teach the science, art, and practice of mining and the application of machinery thereto, said school to be under the control and management of a board of three members, known as the Wisconsin mining school board. Providing for the appointment of members, term, compensation, organization, procedure, powers, and duties of the board. Prescribing branches to be taught. Requiring consultation with dean of college of enginering at University of Wisconsin as to course of study. Prohibiting fees to residents of State and contraction of debt by college. Appropriating $30,000.

Chap. 573, July 11, 1907.

P. HIGHER EDUCATIONAL INSTITUTIONS.

(a) General.

1297. **Florida**: Providing for the erection of a statue of Edmund Kirby Smith in the national Statuary Hall in Washington and providing for a commission.

(Formerly chancellor of the University of Nashville and professor of mathematics in the University of the South.)

Chap. 5714 (act No. 119), May 20, 1907.

D 1298. **Illinois** (1908): A student supporting himself entirely by his own efforts, not subject to parental control, and who regards the place where the college is situated as his home, even though he may at some future time intend to remove, is entitled to vote.—Welch *v.* Shumway, 83 N. E., 549; 232 Ill., 54.

A student is presumed not to have the right to vote, and, if he attempts to do so, the burden is on him to prove his residence.—*Ibid.*

The fact that a student has borrowed money from his parents to help him through college weakens his claim to a residence in a college town, unless it be shown to be a purely business proposition between himself and his parents.—*Ibid.*

D 1299. **Michigan** (1908): A university athletic association representing the students and its officers, in building a stand for a football game on the athletic field belonging to the university, does not represent the university board of regents so as to make such board, rather than the association and its officers, the proper party defendant in an action for injury to a spectator at the game from collapse of the stand, though the graduate director of the association, who, by its constitution, is a member of its finance committee, and who also exercises such powers and performs such duties as its board of control may determine and require, is paid for his services as adviser of the association's athletic policy by the regents, and his position of graduate director is dependent on his engagement with the regents, and though he applied to the committee on buildings and grounds for permission to build the stand and received the permission from it; the stand and all other structures on the field being paid for out of the funds of the association, which receives and disburses its money without control by the regents, except that they require a proper auditing of accounts.—Scott *v.* University of Michigan Athletic Association et al., 116 N. W., 624.

1300. **Oklahoma**: *See enactment No. 43.*

1301. **Virginia**: *See enactment No. 52.*

1302. **West Virginia**: Amending and reenacting sec. 57, chap. 29, Code, 1903, as amended and reenacted by chap. 35, Acts, 1905, relating to property exempt from taxation.

Exempting one-half acre of land, and buildings used by college or university society for literary hall, dormitory, or club room, when not leased for profit.

Chap. 75, Feb. 20, 1907.

(b) Finance; Lands; Support.

The leading characteristic of the legislation relating to the general financial policy of the States toward their higher educational institutions is clearly one of increased liberality. The proposed amendment

to the constitution of Florida (1307); the increased millage for the University of Michigan (1320); the increased appropriation for the University of Oregon (1341) are representative. While not classified here, the general appropriation acts of nearly all of the States bear out this conclusion of continued generosity toward the higher educational interests.

1303. **Alabama:** Providing for the payment of deferred interest on land fund for the Alabama Girls' Industrial School.

Act No. 159, p. 235, Feb. 28, 1907. (Sec. 1932, Code, 1907.)

1304. **Arizona:** Amending tit. 65, Revised Statutes, 1901, relative to school lands.

Amending so as to permit and authorize the board of education of the Tempe Normal School to take possession and control of a certain section of school land.

Chap. 52, Mar. 18, 1907.

1305. **Colorado:** Transferring 10 per cent of the proceeds of the principal of the land fund belonging to the State Agricultural College to the credit of the college fund, and authorizing the expenditure by the state board of agriculture of the said 10 per cent for the purchase of lands for sites or experimental farms in connection with the State Agricultural College.

Chap. 221, Apr. 3, 1907.

1306. **Delaware:** Providing for the purchase of a farm for experimental purposes in the interest of agriculture.

Authorizing the issuance of bonds to the amount of $20,000; also creating a special commission.

Chap. 50, Mar. 29, 1907.

1307. **Florida:** Proposing an amendment to art. 12 of the state constitution, 1885, relative to education, by adding sec. 16, providing for the levy of a special tax for the support and maintenance of the University of the State of Florida, the Florida Female College, the institute for the blind, deaf, and dumb, and the colored normal school.

Requiring special state levy of 1 mill.

Jt. Res. No. 2, p. 768, June 3, 1907.

1308. **Florida:** Making appropriation for the construction and repair of buildings, laying out and maintenance of grounds, and for the support and maintenance of state institutions of higher education created and required to be maintained by chap. 5384, Acts, 1905, known as the University of Florida, the Florida Female College, the institute for the blind, deaf, and dumb, and the colored normal school; providing for the payment of any interest deficit on the 3 per cent bonds held for the benefit of any of said institutions under the said act and the act of Congress of July 2, 1862, and for the payment of any unpaid debts of the institutions abolished or established under the act known as chap. 5384, Acts, 1905, aforesaid, under the provisions thereof.

Chap. 5602 (act No. 7), May 30, 1907.

1309. **Florida:** Requiring the state board of education to deed to the city of Lake City, for educational purposes, the lands held for and used by the University of Florida, formerly located at Lake City, and making an appropriation of $15,000 to pay to the city of Lake City the amount claimed by the said city under the provisions of chap. 5384, Acts, 1905.

Chap. 5659 (act No. 64), May 27, 1907.

1310. **Idaho**: Amending sec. 2, p. 419, Laws, 1905, creating and establishing the scientific school fund, providing that moneys received into the state treasury from certain sources shall be placed in and constitute such fund, and appropriating all of the moneys credited thereto during the years 1905 and 1906 for the support and maintenance of the college or department of arts of the University of Idaho.

Making perpetual the operation of said act after first Monday of January, 1907.

S. B. 27, p. 26, Feb. 19, 1907.

1311. **Idaho**: Amending sec. 2, p. 420, Laws, 1905, creating and establishing the agricultural-college fund, providing that moneys received into the state treasury from certain sources shall be placed in and constitute such fund, and appropriating all of the moneys credited thereto during the years 1905 and 1906 for the support and maintenance of the college or department of arts of the University of Idaho.

Extending time of operation of act for two years, or until first Monday of January, 1909.

S. B. No. 28, p. 27, Feb. 19, 1907.

1312. **Idaho**: Providing for the issuance and sale of state bonds for the University of Idaho.

Authorizing issuance of $50,000 bonds for rebuilding and equipment. Providing fund by annual tax levy for payment of interest and principal.

H. B. No. 65, p. 153, Mar. 7, 1907.

1313. **Idaho**: Providing for the issuance and sale of state bonds for the construction of additional buildings at the Academy of Idaho.

Authorizing issuance of bonds to the amount of $21,000 and creating sinking fund.

H. B. No. 79, p. 135, Mar. 7, 1907.

1314. **Idaho**: Providing for the issuance and sale of state bonds for the University of Idaho.

Authorizing issuance of $120,000 bonds for rebuilding and equipment. Providing fund by annual tax levy for payment of interest and principal.

H. B. No. 218, p. 144, Mar. 7, 1907.

D 1315. **Idaho** (1905): Under act of Congress, Feb. 18, 1881, and the amendment thereof, granting to the territory 72 sections of land for university purposes, and under Admission Act of Idaho (act July 3, 1890, 26 Stat., 216, c. 656), secs. 5, 8, constitution, art. 9, sec. 4, providing that the public school fund of the State shall consist of the proceeds of such lands as have been granted by the General Government and known as school lands, and lands acquired by gift from other persons, the interest on the proceeds of such lands can not be used for the erection or equipment of university buildings or buildings connected therewith, but can be used only in the support of said university, in the payment of current expenses and charges for conducting the same.—Roach *v.* Gooding, 81 P., 642.

1316. **Iowa**: Making appropriation for the state college of agriculture and mechanic arts, the state university, and the state normal school.

Making fixed annual appropriations for each of the several institutions.

Chaps. 212, 213, 214, and 215, Apr. 10, 1907.

1317. **Kansas**: Repealing sec. 9, chap. 135, Laws, 1873, and fixing the compensation of the board of regents of the university, of the state agricultural college, and of the state normal school.

Providing that the members of such boards shall receive $5 per day of actual employment, and reimbursement for transportation and hotel expenses.

Chap. 208, Mar. 5, 1907.

1318. **Louisiana:** Resolving that public boards and officials shall be held to a rigid accountability in the matter of their expenditures, and that in no instance are they authorized to contract indebtedness beyond the amounts appropriated to them or to divert money appropriated by the legislature to one item of expense in order to make up deficiencies in another; resolving further that the chairman of the finance committee of the senate and the chairman of the appropriations committee of the house be requested and authorized to visit, prior to the next session, the various public institutions, in order to ascertain their needs and whether the letter and spirit of these resolutions have been observed.

Act No. 303, July 9, 1908.

1319. **Michigan:** Authorizing the withdrawal from sale of the agricultural college lands in the counties of Iosco and Alcona, such lands to be held as a forest reserve for the benefit of said college, and defining the permanent use thereof.

Reserve to be used for instruction of students and practice of forestry students. Contracts for timber. Fire protection. (See also act No. 93, May 16, 1907.)

Act No. 299, June 27, 1907.

1320. **Michigan:** Amending sec. 1, act No. 32, Acts, 1873, repealing act of Mar. 15, 1867 (secs. 3506 and 3507, Compiled Laws, 1871), as amended by act No. 102, Acts, 1899, extending aid to the university.

Increasing mill tax from one-fourth to three-eighths of a mill.

Act No. 303, June 28, 1907.

1321. **Minnesota:** *See enactment No. 41.*

1322. **Mississippi:** Making an appropriation for the support, repairs, additional buildings, improvements, and equipment of the industrial institute and college.

Conditions imposed upon appropriation for support fund that the annual salary for the president shall not be in excess of $3,500, and that, from and after Sept. 30, 1908, "the principals of the various chairs and heads of departments shall receive the same salary as paid in 1906."

Sec. 1, chap. 7, Mar. 17, 1908.

1323. **Mississippi:** Making an appropriation for the support, repairs, additional buildings, improvements, and equipment of the agricultural and mechanical college.

Conditions imposed upon appropriation for support fund that the annual salary of the president shall not be in excess of $3,500, and that, from and after Sept. 30, 1908, the principals of the various chairs and the heads of department shall receive the same salary as paid in 1906.

Sec. 1, chap. 8, Mar. 20, 1908.

1324. **Mississippi:** Proposing the reduction of the salaries of the chancellor of the university, the president of the industrial institute and college and the president of the agricultural and mechanical college.

"*Whereas*, the annual salary of the governor of the State of Mississippi is forty-five hundred dollars ($4,500), and

"*Whereas*, the annual salaries of the judges of the supreme court of Mississippi is forty-five hundred dollars ($4,500) and

"*Whereas*, the maximum salary paid to any other state official is thirty-five hundred dollars ($3,500), and

"*Whereas*, the heads of the above three named institutions receive as annual salaries five thousand dollars ($5,000), forty-five hundred dollars ($4,500), and forty-five hundred dollars ($4,500) respectively, and

"*Whereas*, the head of each said institution is furnished by the State an elegant home for himself and family, his salary thereby being increased so as to exceed that paid by the State to any of its public servants, not even excepting the judges of our supreme court, and

"*Whereas*, the salary paid the heads of the said institutions is entirely out of proportion to the responsibility and dignity of the position held when compared to salaries paid other public servants,

"*Therefore be it resolved*, That it is the sense of the house, the senate concurring therein, that the annual salary paid to the heads of said institutions shall be as follows:

"The chancellor of the university, thirty-five hundred dollars ($3,500).

"The president of the Agricultural and Mechanical College of Mississippi, thirty-five hundred dollars ($3,500).

"The president of the Industrial Institution and College of Mississippi, thirty-five hundred dollars ($3,500)."

H. Con. Res. No. 46, chap. 290, Feb. 28, 1908.

1325. **Missouri:** Authorizing county courts to establish and maintain agricultural experiment stations, with the aid and cooperation of the state agricultural experiment station, and authorizing county courts to lease and purchase land for the use of such stations.

H. B. No. 691, p. 206, Mar. 18, 1907.

D 1326. **Montana** (1906): Constitution, art. 11, sec. 12, provides that the funds of all state institutions of learning shall forever remain inviolate, and shall be respectively invested under such regulations as may be prescribed by law, and that the interest from such invested funds, etc., shall be devoted to the maintenance and perpetuation of such respective institutions; and laws, 1905, p. 5, sec. 5, provides that the state treasurer shall keep all moneys derived from the sale of timber from lands granted in aid of the state normal school in a separate fund, from which he shall pay the interest on certain normal school bonds as it accrues and the principal at maturity. *Held*, that as soon as the treasurer receives any money from the sale of normal school lands or timber, payable into the normal school fund, he is required to invest the same, and is authorized only to use the interest and the rents from leased lands for the maintenance of the school.—State *v.* Rice, 83 P., 874.

D 1327. **Montana** (1907): The Montana legislature must act in subordination to the state constitution in executing the authority intrusted to it by Congress in enabling act Feb. 22, 1889, chap. 180, sec. 17, 25 Stat., 676, which granted certain public lands to the State for a normal school, to be held, appropriated, and disposed of exclusively for that purpose, in such manner as the legislature should provide. Judgment (Mont., 1906) 83 P., 874, affirmed.—State of Montana *v.* Rice, 27 S. Ct., 281; 204 U. S., 291; 51 L. Ed., 490.

1328. **Nebraska:** Appropriating to the use of the state university the proceeds of the 1-mill university tax for the years 1907 and 1908 and so much of the proceeds of the 1-mill university tax for the years 1905 and 1906 as was not appropriated by the twenty-ninth session of the legislature.

Chap. 151, Apr. 9, 1907.

D 1329. **Nebraska** (1906): The money donated by the United States to the University of Nebraska by act of Congress of March 2, 1887, chap. 314, sec. 1, 24 Stat., 440 (U. S. Comp. Stat., 1901, p. 3218), and acts supplemental thereto, known as the "experimental-station" fund, may be expended by the regents for the purposes expressed by the donation without any more specific legislative appropriation than that implied by constitution, art. 8, sec. 2, and contained in Comp. Stat., 1905, chap. 87, sec. 19 (Cobbey's Ann. Stat., 1903, sec. 11215).—State *v.* Searle, 109 N. W., 770.

D 1330. **Nebraska** (1907): Comp. Stat., 1905, chap. 87, sec. 19, providing that in the year 1899 and annually thereafter a tax of 1 mill on the dollar shall be levied on all of the taxable property in the State, the proceeds to constitute a fund for the maintenance of the university, was not repealed by implication of the general revenue law of 1903 (Laws, 1903, l. 135, chap. 73, sec. 134), authorizing the state board to levy a 5-mill tax, if necessary, for the state general fund and 1½ mills for the common school fund.—State *v.* Searle, 112 N. W., 380.

1331. **New Mexico**: *See enactment No. 392.*

1332. **New Mexico**: Providing funds and making appropriations for the fifty-ninth and sixtieth fiscal years.

Providing that members of the legislative assembly and the boards of county commissioners may select and send indigent pupils to higher educational institutions, prescribing conditions, and appropriating $12,500 per annum.

Secs. 29–36, chap. 89, Mar. 21, 1907.

1333. **North Dakota**: *See enactment No. 36.*

1334. **North Dakota**: *See enactment No. 427.*

1335. **North Dakota**: Repealing secs. 1283 and 1284, Revised Codes, 1905, relative to expenditures and transfer of funds of state institutions, and enacting a substitute.

Making it unlawful for boards of trustees, commissioners, directors, regents, person, or persons having control or management of the state institutions, to expend amounts in excess of appropriation, and providing for monthly financial reports to the governor.

Chap. 234, Mar. 19, 1907.

1336. **North Dakota**: Amending secs. 838, 839, 840, 841, and 842, Revised Codes, 1905, relative to maintenance of state educational institutions.

Adding the academy of science and the industrial school to the list of state institutions. Reapportioning the amount derived from the 1-mill tax among the various institutions: University, thirty-three one-hundredths (formerly forty); agricultural college, twenty one-hundredths; Valley City normal school, fifteen one-hundredths (formerly twelve); Mayville normal school, thirteen one-hundredths (formerly twelve); school for the deaf, six one-hundredths (formerly thirteen); school of forestry, two one-hundredths (formerly three); academy of science, four one-hundredths; industrial school, seven one-hundredths.

Minor amendments of manner of appropriation and time of payment.

Chap. 107, Mar. 6, 1907.

1337. **North Dakota**: Requiring persons in charge of state institutions to make annual inventory of property therein.

Chap. 235, Mar. 8, 1907.

1338. **Oklahoma**: Making an appropriation for the expenses of the regents of the various state institutions.

Appropriating $5,000. Fixing salary of members of boards of regents of the several state institutions at $3 per diem, while actually engaged, maximum of five days in any month; mileage, 3 cents.

Chap. 5, S. B. 353, p. 79, May 22, 1908.

1339. **Oklahoma**: Relating to certain tax-levy funds accumulated to the credit of the agricultural and mechanical college.

Appropriating balance for the payment of premiums for fire insurance on buildings.

Chap. 5, H. B. 651, p. 84, May 26, 1908.

1340. **Oklahoma**: To provide for the division and distribution of the income, rentals, interest, and proceeds from certain lands among certain educational institutions, and making appropriations of such funds in pursuance thereof; designating a name by which such fund shall hereafter be known.

Stipulating basis of division of income from section 13 lands among the several state educational institutions.

Chap. 34, S. B. 232, p. 395, May 10, 1908.

1341. **Oregon**: Amending sec. 3529, B. and C., 1901, relative to appropriations for the support of the university.

Increasing permanent annual appropriation from $47,500 to $125,000.

Chap. 64, Feb. 20, 1907.

1342. **South Dakota**: Directing the board of regents of education to make selections of state or school lands for experimental-farm purposes.

Chap. 229, Mar. 7, 1907.

1343. **South Dakota**: Placing under the control of the board of regents of education the remainder of the educational and charitable lands for the support of substations for prosecuting experiments in agriculture.

Chap. 230, Mar. 7, 1907.

1344. **Tennessee**: *See enactment No. 898.*

1344a. **Vermont**: *See enactment No. 450.*

1345. **Vermont**: Relating to appointment to scholarships in case of vacancy in a senatorship.

Authorizing other senator or senators of county in which such vacancy exists, or if none, the governor, to appoint and designate persons for scholarships in Norwich University, University of Vermont, and Middlebury College to the same number and in the same way as if no vacancy existed.

Act No. 61, Dec. 18, 1906.

1346. **Virginia**: Amending and reenacting sec. 1556, Code, 1904, relative to the University of Virginia.

University may not issue its obligations without consent of general assembly.

Chap. 257, Mar. 13, 1908.

1347. **Virginia**: Requiring all eleemosynary institutions, hospitals, colleges, universities, prisons, and reformatories to report monthly to the auditor of public accounts in detail the manner in which all funds received by said institutions from the Commonwealth are disbursed.

Chap. 260, Mar. 13, 1908.

1348. **Virginia**: Relating to student's loan fund.

Permitting State Female Normal School, the Virginia Agricultural and Mechanical College and Polytechnic Institute, the Virginia Military Institute, the University of Virginia, and William and Mary College to draw annually for five years from state treasury not to exceed 1 per cent of the annual appropriation to each of said institutions for the establishment of a fund to aid needy students. Conditions of aid.

Chap. 284 (Genl. Approp.), p. 430, Mar. 14, 1908.

1349. **Washington**: *See enactment No. 437.*

1350. **Washington**: *See enactment No. 920.*

1351. **Washington**: Amending secs. 1, 3, 4, 5, 6, 7, 9, 11, and 13, chap. 119, Laws, 1901, creating a state board of control, and providing for the government, control, and management of certain public institutions.

Providing that the state board of control shall visit annually the state educational institutions (university and normal schools) and examine the systems of accounting and financial management. Power to prescribe uniform system of accounting. Reports to governor (sec. 3).

Sec. 3, chap. 166, Mar. 14, 1907.

1352. **Washington:** Repealing sundry acts relative to the University of Washington, and creating a state university permanent fund and a state university current fund.

Chap. 168, Mar. 14, 1907.

D 1353. **Washington** (1907): Act of Congress, March 2, 1867, chap. 150, 14 Stat., 426, which provides that "the legislative assemblies of the several territories of the United States shall not, after the passage of this act, grant private charters or especial privileges, but they may by general incorporation acts permit persons to associate themselves together as bodies corporate for mining, manufacturing, and other industrial pursuits," did not deprive a territorial legislature of power in amending an existing charter of an educational corporation to provide that its property shall be exempted from taxation.—Board of Trustees of Whitman College *v.* Berryman, 156 F., 112.

Under U. S. Rev. Stat., sec. 1850, providing that legislative acts of territories "shall be submitted to Congress, and if disapproved shall be null and of no effect," where such an act has been on the statute books for many years without any expression of disapproval by Congress, the implication is warranted that it was approved.—*Ibid.*

1354. **West Virginia:** Authorizing the appointment of a select legislative committee of five to report on all state institutions.

Plans to be presented for the grouping of like institutions under one management and for a uniform system of accounting.

Jt. res. No. 21, p. 430, Feb. 22, 1907.

1355. **Wisconsin:** Amending sec. 1, chap. 14, Laws, 1905 (sp. sess.), relative to university fund.

Authorizing until 1909 temporary transfer of not to exceed $250,000 from general fund to university fund.

Sec. 2, chap. 428, June 27, 1907.

D 1356. **Wyoming** (1907): No particular institutions are entitled to the grants and appropriations made respectively by act of Congress, July 2, 1862, chap. 130, 12 Stat., 503, granting lands or land scrip to the several States for the endowment, support, and maintenance of at least one college where the leading object shall be to teach agriculture and the mechanic arts, and by act of Congress, Aug. 30, 1890, chap. 841, 26 Stat., 417 (U. S. Comp. Stat., 1901, p. 3214), appropriating annually certain sums to each State and Territory for the more complete endowment and maintenance of such colleges, but the States take the property charged with the duty to devote it to the purpose named. Judgment (1906) 84 P., 90, 14 Wyo., 318, affirmed.—State of Wyoming *v.* Irvine, 27 S. Ct., 613; 206 U. S., 278; 51 L. Ed., 1063.

(c) State Universities and Colleges.[a]

Of the legislation relating to state universities and colleges, the following enactments are selected for special mention: Alabama

[a] By the provisions of the will of Col. William F. Vilas, who died at Madison, Wis., August 27, 1908, the University of Wisconsin is to be made the recipient of a fund which will ultimately amount to an immense sum—according to estimates, $30,000,000. The Vilas bequest to a state institution may be considered as a memorable event in the development of state institutions of higher education. The conditions of the bequest are subject to acceptance by the legislature.

(1360), providing for the better equipment and support of the university; Kentucky (1370), reorganizing the state university; Washington (1388), providing for buildings for the university; Wisconsin (1391), abolishing tuition fees in the law school; Wisconsin (1392), establishing a college of medicine; and Wisconsin (1293, 1294), making appropriations for special construction purposes at the university.

1357. **Alabama:** Providing for the sale and other disposition by the board of trustees of the University of Alabama of such lands as have been or may be selected under and by virtue of an act of Congress entitled "An act to increase the endowment of the University of Alabama from the public lands in said State."

Approved Apr. 23, 1884, and ratifying and confirming former sales and dispositions.

Act No. 191, p. 246, Feb. 28, 1907. (Secs. 1886 and 1888, Code, 1907.)

1358. **Alabama:** Providing for funds for maintenance, repairs, improvements, apparatus, and additions to the medical college of Alabama.

Appropriating $45,000. Annual appropriation of $5,000 on account of free students—one from each county. Appropriation not available until control of college becomes vested in board of trustees of University of Alabama.

Act No. 282, p. 340, Mar. 4, 1907.

1359. **Alabama:** Dissolving the Medical College of Alabama and constituting the same as the medical department of the University of Alabama.

Act No. 289, p. 357, Mar. 6, 1907. (Sec. 1889, Code, 1907.)

1360. **Alabama:** Providing for the better equipment and support of the University of Alabama.

"Preamble: Whereas, reliable statistics disclose the fact that the University of Alabama is poorly equipped materially and inadequately supported financially; and whereas it is generally conceded that the limit practically of all development has been reached under the present meagre equipment and support; and whereas the State of Alabama can not afford longer to do less for her sons and daughters than is done by other States for theirs; therefore, etc."

Making annual extraordinary appropriation of $25,000 to be expended in like manner to regular appropriations.

Making annual appropriation of $100,000 for four years for improvements in buildings.

Act No. 335, p. 367, Mar. 6, 1907. (Secs. 1890–1892, Code, 1907.)

1361. **Arkansas:** Constituting a legislative committee of seven to investigate the affairs of the University of Arkansas.

H. Con. Res. No. 3, p. 1259, Feb. 12, 1907.

1362. **Arkansas:** Amending sec. 4271, Kirby's Digest, 1904, relative to the board of trustees of the University of Arkansas.

Making number of members (formerly six) equal to number of congressional districts. Superintendent of public instruction to be an ex officio member.

Act No. 87, Mar. 12, 1907.

1363. **Arkansas:** Amending act No. 274, Acts, 1905, relative to the sale of intoxicating liquors within 5 miles of the University of Arkansas.

Extending application of act so as to include *bartering*, so that it shall be "unlawful for any person to sell, barter, or give away, either for himself or another, or to procure or purchase for another, etc."

Increasing penalty so as to include imprisonment in addition to fine.

Act No. 278, May 8, 1907.

1364. **California**: Authorizing city of San Diego to convey a portion of La Jolla Park to regents of the University of California for the purposes of a biological station.

Chap. 3, Feb. 7, 1907.

1365. **California**: Adding art. 7 to chap. 1, tit. 3, part 3, Political Code, 1906, relative to Hastings College of Law.

Providing for officers and their appointment; for affiliation with the University of California; for the granting and issuing of diplomas, etc.

Chap. 335, Mar. 19, 1907.

1366. **Colorado**: Amending sec. 3449, General Statutes, 1883, relative to the University of Colorado.

Removing the requirements for the maintenance of a normal or a preparatory department after June 1, 1907.

Chap. 229, Apr. 15, 1907.

1367. **Georgia**: Providing for the meeting of the legislative committees on the University of Georgia and its branches for the purpose of visiting the various branch institutions while the legislature is not in session.

Con. Res. No. 19, p. 1012, Aug. 22, 1907.

1368. **Georgia**: Providing for the appointment of one additional trustee of the University of Georgia, to be a nonresident, native Georgian, and providing for qualifications, etc.

Act No. 478, p. 77, Aug. 18, 1906.

D 1369. **Idaho** (1907): "The regents of the University of Idaho," created a corporation by the laws of the Territory and the constitution of the State, is a public corporation and an agency of the State, and as such is not subject to garnishment in the absence of a statute clearly evincing the purpose of the legislature to subject public corporations to such process; and the general provision that any "person" may be garnished is not sufficient for that purpose, although the word "person" is expressly defined by the statutes as including a corporation; such provisions being generally construed as restricted to private or business corporations.—Moscow Hardware Co. *v.* Colson, 158 F., 199.

1370*. **Kentucky**: Changing the name of the agricultural and mechanical college to state university; amending parts of sundry laws with reference to said college, so as to make the whole apply to said university.

Providing for the establishment of departments of law and medicine. Modifying conditions of appointment of student beneficiaries. Providing for bipartisan board of trustees after 1910, and also for county teachers' examinations for students.

Chap. 3, Mar. 16, 1908.

1371. **Louisiana**. Amending and reenacting sec. 1, act No. 152, Acts, 1902, authorizing the board of supervisors of the state university and agricultural and mechanical college to determine the fees of students or cadets.

Permitting fees for students pursuing special, graduate, or professional courses of study.

Act No. 227, July 8, 1908.

1372. **Minnesota**: Authorizing regents of the university to deed certain land to the United States Government for the purposes of the Weather Bureau of the United States Department of Agriculture.

Chap. 12, Feb. 8, 1907. Duplicated by chap. 187, Apr. 13, 1907.

1373. **Minnesota:** Providing for the care and management of Itasca State Park by the state forestry board, and permitting the maintenance therein of demonstration work in forestry under the direction of the board of regents of the state university, and appropriating money therefor.

Chap. 90, Apr. 4, 1907.

1373a. **Minnesota:** Amending sec. 1470, chap. 14, Revised Laws, 1905, relative to the board of regents of the university.

Fixing the term of office of present appointed regents. Providing that hereafter no appointed member, during the term for which he is appointed, shall hold any other office, elective or appointive, under the State of Minnesota.

Chap. 105, Apr. 5, 1907.

1374. **Minnesota:** Providing for the free education at the University of Minnesota of soldiers, residents of Minnesota, who enlisted in the United States Army or Navy for the war of 1898 between the United States of America and the Kingdom of Spain, and were honorably discharged therefrom.

Such persons entitled to pursue any course or courses without expense for tuition. Providing for refund of tuition already paid.

Chap. 158, Apr. 12, 1907.

1375. **Minnesota.** Authorizing board of regents of the university to acquire property and erect an engineering building and laboratory thereon.

Authorizing expenditure of $250,000, and also a state tax levy of $175,000 annually for four years.

Chap. 359, Apr. 23, 1907.

1376. **Mississippi:** Making an appropriation for the support of the University of Mississippi for the years 1908 and 1909 and for buildings and equipment needed.

Conditions imposed upon appropriation for support fund that the annual salary of chancellor shall not be in excess of $3,500, and that from and after Sept. 30, 1908, "the principals of the various chairs and heads of departments shall receive the same salary as that paid in 1906."

Sec. 1, chap. 5, Mar. 20, 1908.

1377. **Nebraska:** Making the state treasurer treasurer of the state university and custodian of its funds, and defining the duties of such treasurer.

Chap. 147, Mar. 27, 1907.

1378. **Nebraska:** Repealing, and reenacting with amendments, sec. 11216, Cobbey's Annotated Statutes, 1903, relative to meetings of the board of university regents.

All meetings of the board shall be open to the public. Providing for secret meetings and sessions. Public records to be made and kept of all meetings.

Chap. 148, Mar. 30, 1907

1379. **Nevada:** Fixing the name of the state university.

Legal and corporate name to be University of Nevada.

Chap. 208, Mar. 29, 1907.

1380. **North Carolina:** Amending sec. 4271, Revisal, 1905, relative to vacancies in board of trustees of the University of North Carolina, by reason of nonattendance.

Failure to be present at the regular meetings of the board for two (formerly four) successive years shall operate to produce vacancy.

Chap. 828, Mar. 8, 1907.

D 1381. **Ohio** (1904) : The legislature having legislated with respect to the city of Toledo and referred to a certain institution called a "university" in the city of Toledo, and the term "university" having been used by the citizens generally and by the city legislature as applicable to such institution, New Code, sec. 217 (96 Ohio Laws, p. 91), providing that in any municipal corporation having a university supported by municipal taxation all the authority vested in or belonging to the corporation with respect to the management of the funds transferred to the corporation in trust or otherwise for the university, as well as the government and control of the university, shall be vested in and exercised by a board of directors, was applicable to the city of Toledo, and hence it was proper for the mayor to appoint a board of directors of the so-called "Toledo University."—Waddick *v.* Merrell, 26 Ohio Cir. Ct. R., 437.

1382. **Oklahoma**: Making an appropriation for the support and maintenance of the state university for the year July 1, 1908, to July 1, 1909. Other miscellaneous purposes.

Approving and ratifying act of Congress of Feb. 25, 1907 (34 W. S. Stat., pt. I, p. 932), granting certain section of land to the University of Oklahoma.

Chap. 5, H. B. 693, p. 86, June 10, 1908.

1383. **Oklahoma**: Amending sec. 2, chap. 84, Statutes, 1893, relative to the government of the university.

Increasing number of members of board of regents from six to ten.

Chap. 77, S. B. 76, p. 669, Dec. 21, 1907.

D 1384. **Oklahoma** (1908) : The term "public schools," as used in constitution, art. 13, sec. 5, providing that the supervision of instruction in the public schools shall be vested in a board of education, does not include in its meaning the University of Oklahoma.—Regents of University of Oklahoma *v.* Board of Education, 95 P., 429.

Wilson's Rev. and Ann. Stat., 1903, chap. 77, art. 17, providing that the government of the University of Oklahoma should vest in a board of regents, was, by schedule to the constitution (sec. 2) providing that all laws in force in the Territory at the time of its admission as a State not locally inapplicable shall be extended to the State of Oklahoma, extended to and put in force in the State until it expires by its own limitations or is altered or repealed by law.—*Ibid.*

There is no repugnancy between constitution, art. 13, sec. 5, providing that the supervision of instruction in the public schools shall be vested in a board of education, and Wilson's Rev. and Ann. Stat., 1903, chap. 77, art. 17, establishing the University of Oklahoma, and providing that the government of the university should vest in a board of regents.—*Ibid.*

1385. **Tennessee**: Appropriating $100,000 to the University of Tennessee for the biennium 1907–8.

Prescribing items of expenditure. Providing for three state scholarships for each member of the general assembly.

Chap. 164, Mar. 26, 1907.

1386. **Utah**: Amending sec. 2309, Revised Statutes, 1898, relative to instruction in the University of Utah.

Regulating entrance and tuition fees.

Chap. 159, Mar. 25, 1907.

1387. **Virginia**: Amending and reenacting sec. 1541, Code, 1904, relative to the University of Virginia.

Granting definite corporate power thereto.

Chap. 256, Mar. 13, 1908.

1388. **Washington**: Providing for buildings for the University of Washington and the use thereof by the Alaska-Yukon-Pacific Exposition.

Appropriating $600,000 for the erection of an administration and auditorium, an engineering, and a chemical building. (See also chap. 4, Feb. 4, 1907.)

Chap. 6, Feb. 4, 1907.

1389. **Wisconsin:** *See enactment No. 1203.*

1390. **Wisconsin:** *See enactment No. 1204.*

1391. **Wisconsin:** Amending sec. 388, Statutes, 1898, as amended by chap. 344, Laws, 1901, relative to tuition fees at the state university.

Abolishing tuition fees in the law school.

Chap. 105, May 15, 1907.

1392. **Wisconsin:** Amending sec. 385, Statutes, 1898, relative to the University of Wisconsin.

Authorizing establishment of college of medicine.

Sec. 1, chap. 428, June 27, 1907.

1393. **Wisconsin:** Amending sec. 2, chap. 320, Laws, 1905, relative to appropriations for the University of Wisconsin.

Continuing for five years annual appropriation of $200,000 for construction and equipment.

Sec. 3, chap. 428, June 27, 1907.

1394. **Wisconsin:** Creating and adding sec. 391n, Statutes, 1898, relative to appropriation for the University of Wisconsin.

Appropriating $100,000 annually for four years for construction and equipment for women's building. Requiring governor's approval as a condition.

Sec. 4, chap. 428, June 27, 1907.

Q. PROFESSIONAL AND HIGHER TECHNICAL EDUCATION.

[See enactments under Section O: "Technical and Industrial Education—Elementary and Secondary."]

(a) Teachers' Colleges and Normal Schools.

[See enactments Nos. 898–921.]

D 1395. **Florida** (1905): Laws, 1905, chap. 5384, is not unconstitutional because it authorizes the state board of education and the state board of control in joint session to determine the location of the University of the State of Florida and of the Florida Female College, the powers conferred not being a delegation of legislative powers.—State *v.* Bryan, 39 So., 929.

1396. **Georgia:** Establishing and organizing an agricultural, industrial, and normal college in South Georgia as a branch of the University of Georgia.

Providing for the location of the college at Valdosta upon the donation of 50 acres of land by the city. Providing also for a board of trustees and for the powers and duties thereof. College to be a branch of the university.

"SECTION 9. * * * That the one purpose of the normal department of this college shall be to train and equip teachers for the common schools of Georgia; *Provided*, that the general branches incident to and taught in the regular course of the main higher or collegiate course, as well as the general agricultural course, be also taught and with equal strength as the normal branches; that the said local board of trustees are directed and required to arrange courses of study and select teachers with reference to rendering more efficient the rural teachers now in the schools of Georgia, and such others not now teachers as may be preparing for this work."

Act No. 449, p. 75, Aug. 18, 1906.

1397. **Kentucky:** Making special appropriation for the benefit of the state university, the eastern state normal school, and the western state normal school.

For additional buildings, equipment, and grounds, $200,000 for university and $150,000 to each normal school. Additional annual appropriations, $20,000 for university, $20,000 for eastern state normal school, and $30,000 for western state normal school.

Discontinuing normal department of university and establishing department of education of collegiate rank, entitling holders of degrees from such department to teach in the common and high schools of the State. Providing for teachers' certificates for those attending for one, two, or three years. Discontinuing subfreshman work.

Chap. 5, Mar. 16, 1908.

D 1398. **Kentucky** (1907): Constitution, sec. 184, provides that state bonds issued in favor of the board of education and a specified amount of the stock of the Bank of Kentucky shall be held inviolate for the sustenance of the common school system; that no sum shall be raised for education other than in common schools until the question of taxation is submitted to the voters, provided that "the taxes now imposed for educational purposes and for the endowment and maintenance of the agricultural and mechanical college shall remain until changed by law." Sess. Acts, 1906, p. 393, chap. 102, establishes a system of state normal schools, and makes an appropriation for the benefit of such schools, the question of the appropriation not having been submitted to the voters. *Held*, that normal schools being among the institutions for which, under the proviso of sec. 184, the legislature is authorized to make appropriations without submitting the question to the voters, Sess. Acts, 1906, p. 393, chap. 102, is valid.—Marsee *v.* Hager, 101 S. W., 882; 31 Ky. Law Rep., 79.

1399. **Massachusetts:** Making appropriations for the Massachusetts Agricultural College.

Appropriating $5,000 for establishing a normal department, for the purpose of giving instruction in the elements of agriculture to persons desiring to teach such elements in the public schools.

Chap. 28, Jan. 25, 1907.

1400. **North Dakota:** Amending secs. 1050 and 1051, Revised Codes, 1905, relative to University of North Dakota.

Designating the normal department of the university as "the teachers' college," and prescribing the purpose thereof as "to qualify for teaching in the common and high schools."

Chap. 100 (in part), Mar. 19, 1907.

1401. **North Dakota:** Amending secs. 1078, 1079, 1084, 1085, 1086, 1087, and 1090, Revised Codes, 1905, relative to state normal schools.

Substituting "president" for "principal" to designate the head of each school. Other minor amendments.

Chap. 240, Mar. 19, 1907.

(b) Agricultural Colleges.

[See enactments Nos. 1205–1212.]

The enactments in this section indicate the further extension and development of this valuable type of educational institution. While in the main the enactments deal with matters of general administrative importance, the following seem to be of larger interest: Illinois (1409), Iowa (1410), Louisiana (1413), Massachusetts (1415a), New Jersey (1422), New York (1426–1428), Ohio (1435), South Carolina (1438), Tennessee (1441), and Washington (1448).

1402. **Alabama**: Amending act No. 187, p. 465, Laws, 1897, relative to appropriations to and management of agricultural schools and experiment stations.

Increasing annual appropriation from $2,500 to $4,500 for each of the nine schools and experiment stations.

Annual expenditures for farm improvements and agricultural experiments to be increased from $500 to $750 for each.

Act No. 146, p. 198, Mar. 2, 1907.

1403. **Colorado**: Amending secs. 26 and 53, General Statutes, 1883, relative to state board of agriculture.

Modifying election, term of office, and bonds of officers. Providing for method of payment of expenses of state board of agriculture, state agricultural college, and the experiment station.

Chap. 222, Apr. 3, 1907.

1404. **Connecticut**: *See enactment No. 66.*

1405. **Connecticut**: Amending sec. 4394, General Statutes, 1902, concerning trustees of the Connecticut Agricultural College.

Modifying qualifications and term of office of alumni representatives on board of trustees and mode of election.

Alumni trustees to be graduates of ten instead of five years' standing, and hold office four instead of two years. To be elected by "graduates of two years' standing."

Chap. 100, May 29, 1907.

D 1406. **Florida** (1905): Laws, 1905, chap. 5384, abolishing the Florida Agritural College, does not impair the obligation of the contract made by the State in enacting Laws, 1870, p. 45, chap. 1766, and the acts amendatory thereof, whereby the State accepted the conditions and benefits of the grant contained in act of Congress July 2, 1862, chap. 130, 12 Stat., 503, relating to the maintenance of a college for instruction in agriculture.—State *v.* Bryan, 39 So., 929.

1407. **Georgia**: Making special appropriation of $100,000 to the University of Georgia for the purpose of erecting and equipping buildings to be used as an agricultural college.

Providing for board of trustees and powers and duties thereof. Five hundred acres of land given by private individuals.

Act No. 358, p. 10, July 21, 1906.

1408. **Georgia**: Abolishing (Oct. 1, 1906) the present board of trustees of the North Georgia Agricultural College; providing a new board of trustees; investing such new board with powers for the control and management of the college; prescribing other powers and duties.

Act No. 544, p. 78, Aug. 21, 1906.

1409. **Illinois**: Extending the equipment and increasing the instruction in the college of agriculture of the University of Illinois, and providing for the extension of the agricultural experiment station and making appropriations therefor.

Appropriating $152,500 for special enumerated purposes.

S. B. 214, p. 11, June 4, 1907.

1410. **Iowa**: Providing for agricultural extension work by the state college of agriculture and mechanic arts, and making appropriations therefor.

Extending and continuing provision of chap. 185, Laws, 1906.

Chap. 216, Apr. 13, 1907.

1411. **Kansas**: Concerning fees to be charged students in agricultural college.

Chap. 32, Mar. 7, 1907.

1412. **Louisiana:** Authorizing the establishment of a branch station of the state experiment station, designating the general character of the work to be done by said branch station, and providing for the management and control of same.

Such branch station to be controlled by state board of agriculture.

Act No. 113, July 1, 1908.

1413. **Louisiana:** Establishing a chair of forestry in the state university and agricultural and mechanical college at Baton Rouge.

Act No. 242, July 8, 1908.

1414. **Massachusetts:** *See enactment No. 1399.*

1415. **Massachusetts:** Changing the name of the Hatch experiment station of the Massachusetts Agricultural College to Massachusetts Agricultural Experiment Station.

Chap. 66, Feb. 5, 1907.

1415a. **Massachusetts:** Repealing chap. 414, Acts, 1904, and enacting a substitute relative to free scholarships at the Massachusetts Agricultural College.

Establishing 120 free scholarships and prescribing conditions therefor.

Chap. 460, Apr. 28, 1908. (Dec. 1, 1908.)

1416. **Michigan:** Authorizing and empowering the state board of agriculture to expend a sum not to exceed $8,000 in celebrating and commemorating the fiftieth anniversary of the founding of the state agricultural college.

(Occasion of visit of President Roosevelt.)

Jt. Res. No. 1, Feb. 7, 1907.

1417. **Michigan:** Authorizing state board of agriculture to convey to United States Government a tract of land to be used for the purpose of erecting a weather station observatory, or observatory and post-office.

Act No. 94, May 22, 1907.

1418. **Michigan:** Providing for the establishment of a department of veterinary science at the agricultural college.

Giving authority for establishment to state board of agriculture. Provisions for such. Degree of doctor of veterinary science to be granted.

Act No. 97, May 22, 1907.

1419. **Michigan:** Amending sec. 1, act No. 232, Acts, 1901, as amended by act No. 303, Acts, 1905, extending aid to the agricultural college.

Providing for appropriation of $26,000 during the biennial period to improve, experiment with, and exhibit live stock and poultry. Authorizing experimentation with soils.

Act No. 266, June 27, 1907.

1420. **Minnesota:** Prohibiting the sale of intoxicating liquors and cigarettes within 1 mile of the university farm of the agricultural college of the university and providing penalties.

Chap. 378, Apr. 24, 1907.

1421. **Nevada:** Providing for certain changes in the control and management of the state agricultural experiment station farm.

Providing for board of control to consist of three members. Prescribing qualifications and compensation.

Chap. 27, Feb. 28, 1907.

1422. **New Jersey:** Supplementing chap. 17, Laws, 1902, relative to the establishment of a course in practical and scientific instruction in the art of clay working and ceramics in the state agricultural college.

Increasing annual appropriation by $2,500.

Chap. 7, Mar. 14, 1907.

1423. **New Jersey:** Supplementing chap. 55, Laws, 1905, providing for short courses in practical and scientific agriculture in the state agricultural college.

Further appropriation of $50,000. Additional annual appropriation of $10,000.

Chap. 43, Apr. 12, 1907.

1424. **New Jersey:** Providing for the furnishing and equipment of the engineering building at the state agricultural college.

Appropriating $20,000.

Chap. 95, Apr. 6, 1908.

1425. **New Jersey:** Amending sec. 1, chap. 99, Laws, 1901, providing for scientific investigation of oyster propagation by agricultural experiment station.

Providing for equipment and increasing annual appropriation from $200 to $1,200.

Chap. 189, May 13, 1907.

1426. **New York:** Establishing a state school of agriculture at Alfred University.

Chap. 200, May 6, 1908.

1427. **New York:** Establishing a state school of agriculture at Morrisville.

Chap. 201, May 6, 1908.

1428. **New York:** Establishing a state school of agriculture at St. Lawrence University.

Chap. 202, May 6, 1908.

1429. **North Carolina:** Amending subdiv. 20, chap. 89 (secs. 4207 to 4220), Revisal, 1905, relative to agricultural and mechanical college (white).

Defining the corporate rights of the North Carolina College of Agriculture and Mechanic Arts. Reconstituting the board of trustees. Repealing sec. 4213, providing for a board of visitors. Sundry minor amendments.

Chap. 406, Feb. 26, 1907.

1430. **North Dakota:** Amending sec. 1231, Revised Codes, 1905, relative to the school of forestry.

Object of school to be "to furnish instruction and training contemplated in an agricultural high school, emphasizing those subjects that have a direct bearing on forestry and horticulture."

Chap. 100 (in part), Mar. 19, 1907.

1431. **North Dakota:** Creating and establishing an agricultural experiment station in Cavalier County, providing for its management, and making an appropriation.

Chap. 120, Mar. 19, 1907.

1432. **North Dakota:** Requiring biennial reports to be made by superintendents of subexperiment stations to the president of the agricultural college.

Chap. 121, Mar. 12, 1907.

1433. **North Dakota:** Creating and establishing an irrigation and dry farming experiment station in Williams County, providing for its management, and making an appropriation.

Chap. 122, Mar. 13, 1907.

1434. **North Dakota:** Making an annual appropriation ($7,500) to agricultural experiment station for conducting demonstration farms and cooperating with farmers.

Chap. 178, Mar. 5, 1907.

1435. **Ohio:** Repealing, and reenacting with amendment, sec. 9, act of May 1, 1878, as amended Mar. 16, 1894, sec. 4105–44. Revised Statutes, 1905, relative to the agricultural and mechanical college.

Removing limitation of $2,500 as the maximum annual salary for professors.

H. B. 928, p. 602, Apr. 15, 1908.

1436. **Oklahoma:** Providing for the organization of the board of agriculture, prescribing the manner of selecting the president thereof, defining their duties, fixing their compensation, and making an appropriation.

Board of agriculture to be board of regents for agricultural and mechanical colleges. Providing for farmers' institutes. Appropriating $101,399.

Chap. 3, S. B. 112, p. 3, Mar. 3, 1908.

1437. **Oregon:** Amending sec. 3541, B. and C., 1901, relative to the agricultural college.

Increasing the continuing fund provided for the annual support of said college from $25,000 to $50,000.

Chap. 233, Feb. 26, 1907.

1438*. **South Carolina:** Amending act (Feb. 25, 1904) relative to beneficiary scholarships in the Clemson Agricultural College.

Increase number of scholarships from 124 to 164.

Act No. 254, p. 538, Feb. 19, 1907.

1439. **South Carolina:** Requiring Clemson Agricultural and Mechanical College to pay to the board of directors of the state penitentiary hire for all convicts used.

Act No. 549, Feb. 17, 1908.

1440. **South Dakota:** Changing the name of the agricultural college.

Name changed to "State College of Agriculture and Mechanic Arts."

Chap. 12, Mar. 5, 1907.

1441. **Tennessee:** Creating and establishing an agricultural and horticultural experiment station and model farm combined in western Tennessee, providing for the erection of proper buildings, and providing for its equipment, management, and operation.

Providing that institution shall be under the direction of the agricultural department of the University of Tennessee, and for a commission for location. Defining scope of experimental and instructional work.

Chap. 86, Feb. 12, 1907.

1442. **Utah:** Providing that instruction in the agricultural college shall be free to residents of the State, and providing for an entrance fee for residents and nonresidents.

Chap. 109, Mar. 14, 1907.

1443. **Utah:** Providing for investigations and demonstrations of arid land farming in various localities of the State. Repealing chap. 41, Laws, 1906.

Work to be under direction of agricultural college and to be continued for four years. Appropriating annually $5,000.

Chap. 116, Mar. 14, 1907.

1444. **Vermont:** Aiding in the establishment and maintenance of a nursery for forest seedlings at the agricultural experiment station.

Annual appropriation of $500 for five years.

Act No. 15, Dec. 16, 1906.

1445. **Vermont:** Changing the name of the state agricultural experiment station, established by act No. 73, Acts, 1886, to the Vermont Agricultural Experiment Station.

Act No. 425, Nov. 16, 1906.

1446. **Virginia:** Amending and reenacting act of Feb. 18, 1896, as amended by acts of Mar. 6, 1900, and May 20, 1903 (sec. 1599a, Code, 1904), relative to the protection of domestic animals, and authorizing and empowering the board of control of the experiment station of the agricultural and mechanical college to establish live stock quarantine lines, rules, and regulations, and to prescribe penalties for violating the same. Repealing secs. 2214, 2215, and 1599a, Code, 1904, dealing with same subject.

Chap. 203, Mar. 12, 1908.

D 1447. **Virginia** (1907): Constitution, sec. 183, subsec. "d" [Va. Code, 1904, p. cclxvii], *held* not to prevent an agricultural institute from selling its surplus agricultural products without depriving itself of its exemption from taxation.—Commonwealth *v.* Trustees of Hampton Normal and Agricultural Institute, 56 S. E., 594.

The sale of articles manufactured at the Hampton Normal and Agricultural Institute in the market of Newport News *held* not a sale within the same "community" in which the institute was located, within constitution, sec. 183, subsection "d" [Va. Code, 1904, p. cclxvii].—*Ibid.*

Neither a dairy farm maintained by the Hampton Normal and Agricultural institute, nor the products thereof, *held* subject to taxation under constitution, sec. 183, subsec. "g" [Va. Code, 1904, p. cclxvii].—*Ibid.*

1448. **Washington:** Creating the office of state commissioner of horticulture, and providing for the promotion and protection of the fruit-growing and horticultural interests of the state.

Providing for annual inspectors' institutes to be held at the state agricultural college for improvement and conference (sec. 15).

Providing for examinations for county horticultural inspectors; technical questions to be prepared at state agricultural colleges (sec. 19).

Chap. 162, Mar. 13, 1907.

1449. **Wyoming:** Transferring the state penitentiary buildings and lands, near Laramie, to the university for the use of the agricultural college.

Appropriating $5,000 for additions and repairs.

Chap. 11, Feb. 9, 1907.

(c) United States Grant.

1450. **Alabama:** Assenting to the provisions of the act of Congress of Mar. 16, 1906, providing for an increased annual appropriation for agricultural experiment stations.

H. J. R. No. 349, p. 475, July 13, 1907.

1451. **Arizona:** (*Ditto.*)

Secs. 1 and 3, chap. 30, Mar. 14, 1907.

1452. **Colorado:** (*Ditto.*)

Chap. 132, Apr. 3, 1907.

1453. **Connecticut:** (*Ditto.*)

Special act No. 145, May 1, 1907.

1454. **Delaware:** (*Ditto.*)

Jt. Res., chap. 259, Mar. 5, 1907.

1455. **Florida:** (*Ditto.*)

Chap. 5704 (act No. 109), June 3, 1907.

1456. **Georgia**: Assenting to the provisions of the act of Congress of Mar. 16, 1906, providing for an increased annual appropriation for agricultural experiment stations.
Con. Res. No. 34, p. 1161, Aug. 18, 1906.

1457. **Idaho**: (*Ditto.*)
S. B. 29, p. 22, Feb. 15, 1907.

1458. **Illinois**: (*Ditto.*)
S. B. 118, p. 30, May 27, 1907.

1459. **Indiana**: (*Ditto.*)
Chap. 300 (Jt. Res.), Mar. 12, 1907.

1460. **Kansas**: (*Ditto.*)
Jt. Res., chap. 433, Mar. 7, 1907.

1461. **Kentucky**: (*Ditto.*)
Chap. 11, Mar. 11, 1908.

1462. **Maine**: (*Ditto.*)
Chap. 39, Mar. 6, 1907.

1463. **Minnesota**: (*Ditto.*)
Chap. 101, Apr. 4, 1907.

1464. **Montana**: (*Ditto.*)
Chap. 64, Mar. 2, 1907.

1465. **Nebraska**: (*Ditto.*)
Chap. 149, Apr. 6, 1907.

1466. **Nevada**: (*Ditto.*)
Chap. 209, Mar. 29, 1907.

1467. **New Mexico**: (*Ditto.*)
Chap. 13, Mar. 7, 1907.

1468. **North Carolina**: (*Ditto.*)
Chap. 793, Mar. 8, 1907.

1469. **North Carolina**: Authorizing agricultural colleges of State to receive moneys appropriated by United States Congress, Mar. 4, 1907.
Chap. 991, Mar. 11, 1907.

1470. **Ohio**: Assenting to the provisions of the act of Congress of Mar. 16, 1906, providing for an increased annual appropriation for agricultural experiment stations.
H. Jt. Res. No. 109, p. 634, Apr. 8, 1908.

1471. **Oklahoma**: (*Ditto.*)
S. Con. Res. No. 45, p. 787, May 5, 1908.

1472. **Pennsylvania**: (*Ditto.*)
Act No. 153, May 8, 1907.

1473. **Tennessee**: (*Ditto.*)
Chap. 350, Apr. 11, 1907.

1474. **Texas**: (*Ditto.*)
S. Con. Res. No. 18, p. 433, Apr. 17, 1907.

1475. **Utah**: (*Ditto.*)
Chap. 27, Mar. 11, 1907.

1476. **Vermont**: (*Ditto.*)
Jt. Res. No. 458, Act. 29, 1906.

1477. **Virginia**: *Ditto.*)
Chap. 26, Feb. 8, 1908.

1478. **Washington**: (*Ditto.*)
Chap. 198, Mar. 15, 1907.

1479. **Wyoming**: (*Ditto.*)
Chap. 96, Feb. 21, 1907.

(d) Mining Schools.

1480. **North Dakota:** Fostering the development of mineral and allied industries by providing for experimentation, encouragement, publicity, and practical tests under the direction of the school of mines.

Chap. 236, Mar. 4, 1907.

1481. **Oklahoma:** Creating a state school of mines and metallurgy for the purpose of teaching the scientific knowledge of mining and metallurgy in the State of Oklahoma.

Locating school at Wilburton, conditioned upon the donation of a site of 40 acres by citizens. Defining purpose of school, granting power to confer degrees, providing for control, and appropriating $15,000.

Chap. 70, H. B. 621, p. 621, May 28, 1908.

1482. **Virginia:** Establishing a school of mines as a department of the Virginia Agricultural and Mechanical College and Polytechnic Institute.

Appropriating $6,000 for equipment.

Chap. 247, Mar. 13, 1908.

(e) Military Schools.

D 1483. **Florida** (1905): Laws, 1905, chap. 5384, is not unconstitutional or in conflict with act Congress July 2, 1862, chap. 130; 12 Stat., 503, donating to the State a fund for the establishment of a college in which instruction is given in agriculture and the mechanical arts and military tactics are taught, because such chapter provides that the state board of education and the state board of control shall include military tactics if they deem the same requisite and proper as one of the branches in the university of the State.—State *v.* Bryan, 39 So., 929.

1484. **Missouri:** Repealing, and reenacting with amendments, sec. 10562, chap. 171, Revised Statutes, 1899, relative to the military department of the university.

Authorizing governor to appoint ten cadets from the State at large.

H. B. 107, p. 450, Mar. 19, 1907.

1485. **South Carolina:** Authorizing and empowering the South Carolina Military Academy to execute to the United States necessary bond for ordnance and ordnance stores.

Act No. 591, Feb. 24, 1908.

1486. **Tennessee:** Declaring certain institutions of learning where military science is taught, and which grade the military department equally with others and make proficiency therein a requisite for securing a diploma, to be a post of the national guard.

Chap. 481, Apr. 15, 1907.

1487. **Vermont:** Amending sec. 4373, chap. 186, Statutes, 1904, relative to military organizations of Norwich University.

Extending to all military organizations of Norwich University provisions exempting artillery organization of students from regulations applying to state militia.

Raising rank of professor of military science and tactics from captain to major.

Act No. 141, Nov. 22, 1906.

(f) Miscellaneous Technical.

1488. **Alabama:** Aiding and encouraging technical education by providing for the erection and equipment of buildings and for increased facilities at the Alabama Polytechnic Institute.

Making annual appropriation of $56,500 for four years. Specifying expenditure.

Act No. 162, p. 236, Mar. 2, 1907.

1489. **North Carolina:** Establishing a school of technology at Spray, and providing for its maintenance.

Creating and incorporating board of trustees, designating terms and powers of board. Defining purposes of school; to be for white pupils only. Providing for annual appropriation for maintenance and the appointment of free students.

Chap. 858, Mar. 9, 1907.

1490. **Rhode Island:** Amending sec. 6, chap. 67, General Laws, 1896, relative to state beneficiaries at the Rhode Island School of Design.

Fixing annual appropriation for payment of tuition fee at $8,000.

Chap. 1445, Apr. 19, 1907.

R. PRIVATE AND ENDOWED HIGHER INSTITUTIONS—STATE CONTROL.

With but one exception the enactments in this section seem to be of minor and local importance. That of Ohio (1506) would seem to be a move for the more efficient control of degree-granting institutions, a matter which is certainly deserving of attention on the part of many other legislatures.

1491. **California:** Amending sec. 1, chap 9, Statutes, 1901, relative to the exemption from taxation of a portion of the property held in trust for the benefit of Leland Stanford Junior University.

Proviso that no tuition fees shall be charged residents of the State amended so as to exclude professional and engineering courses.

Chap. 94, Mar. 6, 1907.

1492. **California:** Adding sec. 280b, Code of Civil Procedure, 1906, relative to graduates of the University of Southern California college of law being admitted to practice without examination.

Chap. 438, Mar. 21, 1907.

1493. **Colorado:** Providing for the relief of the George W. Clayton College, and extending, adding to, and defining the powers and provisions of the will of the founder in order to enable the purposes thereof to be carried out.

Extending time within which property must be sold five years beyond the limit set in the will.

Changing provisions to meet new conditions arising from formation of city and county of Denver.

Chap. 118, Apr. 3, 1907.

1494. **Connecticut:** Amending and revising the charter of Wesleyan University granted May, 1831, by tit. 12, Special Acts, 1831; as amended and revised June 9, 1870; as amended Feb. 20, 1879; as amended by act No. 469, Special Acts, May 26, 1893, and as amended by act No. 376, Special Acts, June 29, 1905.

Number of trustees increased from 40 to 55, and number elected by alumni from 5 to 10.

Granting privileges and exemptions enjoyed by Yale College. Stipulating that no denominational test be imposed on trustees, officers, teachers, students. Other minor changes.

Special Acts, No. 326, June 22, 1907.

1495. **Indiana:** "Authorizing universities, colleges, or other institutions of learning heretofore organized under general laws of the State of Indiana or created by special charters, or hereafter organized under the laws of the State of Indiana, to provide for the election of their board of trustees, in whole or in part, by church or ecclesiastical bodies, in part by the graduates therefrom and in part by the board of trustees, and to provide for the division of its funds into separate classes under a separate manager, custodian, or treasurer for each fund, and providing a method for effecting such ends."

Chap. 79, Feb. 27, 1907.

1496. **Indiana:** Permitting the establishment and incorporation of schools, academies, colleges, and other institutions of learning, and providing for the management of the same.

"SECTION 5. Any institution of learning established under this act shall have the power to establish departments of law, medicine, gymnastics, letters and science, theory and practice of physical training, anatomy, physiology and hygiene, and such other departments as may be appropriate to such institution, and it may confer academical degrees and titles upon the graduates of any course of study provided for in said institution."

Chap. 141, Mar. 9, 1907.

1497. **Indiana:** Providing for the issuing of bonds for the liquidation and payment of claim of Vincennes University.

Bonds to the amount of $120,548 to be issued in favor of Vincennes University on account of lands granted by Congress in 1804 and appropriated by the State in 1820. Vetoed by governor.

Chap. 244, Mar. 9, 1907.

1498. **Iowa:** Amending sec. 1304, Code, 1897, relative to exemptions from taxation.

Providing that real estate owned by an educational institution of the State as part of its endowment fund shall not be taxed.

Chap. 54, Apr. 1, 1907.

1499. **Kentucky:** Amending act of Jan. 15, 1858, changing name of Bacon College to Kentucky University, and amending act of Feb. 28, 1865, consolidating Kentucky University and Transylvania University under the name of Kentucky University.

Name of Kentucky University changed to Transylvania University so as to avoid confusion with the State University.

Chap. 69, Mar. 20, 1908.

1500. **Maine:** Repealing chap. 6, Private and Special Laws, 1891, relative to charter of Bates College.

Removing requirement of membership in the Free Baptist denomination imposed upon the president, the majority of the board of fellows, and board of overseers.

Chap. 108, Private and Special Laws, Feb. 22, 1907.

1501. **Michigan:** Amending act No. 72, Acts, 1857, relative to Wesleyan Seminary at Albion and the Albion Female Collegiate Institute.

Incorporating Albion College; providing for organization and powers of board of trustees.

Act No. 79, May 8, 1907.

1502. **Michigan:** Relative to gifts for religious, educational, charitable, and benevolent purposes.

Validating such gifts, grants, etc., under certain conditions. Providing for jurisdiction of court and control through trustee.

Act No. 122, June 4, 1907.

1503. **Minnesota:** Providing for the acceptance and administration of gifts, bequests, devises, and endowments in aid of or for the benefit of educational, charitable, and other institutions maintained by the State.

Chap. 170, Apr. 12, 1907.

1504. **New Hampshire:** Appropriating money to aid Dartmouth College in the education of New Hampshire students.

Appropriating $20,000 annually for two years.

Jt. Res. Chap. 158, Mar. 28, 1907.

1505. **New Jersey:** Supplementing an act concerning corporations. (Revision of 1896.)

Providing for the dissolution of certain educational corporations in order for all owners of the property held by them to realize upon and secure the same.

Chap. 75, Apr. 2, 1908.

1506*. **Ohio:** Repealing, and reenacting with amendments and additions, sec. 3726, Revised Statutes (1905), relative to the conferring of degrees by colleges and universities.

Minimum property valuation of institutions authorized to grant degrees increased to $25,000 (formerly $5,000). Adding provisions that degree-granting institutions must present to secretary of state certificate of state commissioner of common schools as to course of study, equipment, number of students, etc. Charter institutions failing to file certificate by June 1, 1908, to have charters revoked.

S. B. 591, p. 262, May 1, 1908.

1507. **Pennsylvania:** Amending act No. 429, Acts, 1905, making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches.

Changing name from Thaddeus Stevens Industrial and Reform School of Pennsylvania to Thaddeus Stevens Industrial School of Pennsylvania.

Act No. 76, Apr. 15, 1907.

1508. **Tennessee:** Empowering and authorizing boards of trustees of academies and small colleges which no longer are used for the purposes originally intended to transfer the properties of said academies and small colleges to counties and county boards of education or county high school boards.

Chap. 600, Apr. 15, 1907.

1509. **Vermont:** Amending sec. 5, act No. 37, Acts, 1834, as amended by sec. 1, act No. 91, Acts, 1866, incorporating and establishing the Norwich University at Norwich.

Adding provision that no rules of a sectarian character either in religion or politics shall be imposed or adopted, and that no student shall be questioned or controlled on account of religious or political beliefs.

Act No. 350, Nov. 19, 1906.

1510. **Virginia:** Authorizing and empowering educational institutions to sell and convey real estate in excess of 1,000 acres under certain conditions.

Chap 29, Feb. 8, 1908.

1511. **Virginia:** Authorizing and empowering the trustees of Ann Smith Academy, a body corporate, by an act of Jan. 7, 1808, to give, transfer, sell, convey, or exchange all of its property, real and personal, for educational purposes.

Chap. 170, Mar. 11, 1908.

1512. **West Virginia:** Amending the charter of Storer College (sec. 3, chap. 117, Acts, 1868, as amended Feb. 23, 1883), relative to board of trustees.

Removing condition that two-thirds of trustees (25) shall be members of Free Baptist denomination.

Chap. 46, Feb. 20, 1907.

1513. **Wisconsin:** Creating sec. 1784m, Statutes, 1898, relative to the establishment of corporations for the maintenance of schools.

Authorizing any university or college, upon resolution of board of trustees of both institutions, to receive in connection with it, as a branch, any other university or college; also to manage and control the same, and buy its property.

Chap. 68, May 1, 1907.

S. LIBRARIES.

(a) Public School Libraries.

That the library is an essential part of the equipment and activities of the public school is becoming more and more recognized, and the marked and decided tendency of recent legislation is to provide for the general establishment and the adequate support of public school libraries. This tendency has been particularly evident in recent years in certain of the Southern States, and finds its continuance in the biennium just closed in the legislation of North Carolina (1518), South Carolina (1523), and Virginia (1526). The enactments in California (1514), in Nebraska (1517), in North Dakota (1519, and in Utah (1524, 1525), stand out as bits of constructive library legislation.

1514. **California:** Amending secs. 1715 and 1716, Political Code, 1906, relative to school libraries.

Providing for greater accessibility of school libraries. Wherever practicable, to be accessible during vacation and nonschool days. In cities, school library may be kept as part of public library. School libraries to be free to members of all families residing in the district. Libraries to be catalogued, indexed, and classified.

Chap. 6, Feb. 15, 1907.

D 1515. **Indiana** (1906) : A school city, exercising its authority over the public library of the city by virtue of law, has no right to complain that the management of the library has been taken over by a board of trustees appointed by a majority vote of the members of the common council as authorized by Acts, 1903, p. 193, chap. 102 (Burns's Ann. St. Supp., 1905, secs. 4983h et seq.).—School City of Marion *v.* Forrest, 78 N. E., 187.

1516. **Iowa**: Authorizing boards of trustees of free public libraries to unite with any local county historical association for the preservation and protection of articles of a historical or an educational nature gathered by such association, and to expend money for the proper care of such collection.

Additional to sec. 729, Code Supplement, 1902.

Chap. 33, Mar. 27, 1907.

1517*. **Nebraska**: Providing for a library in every public school district within the State.

Providing for creation of district library fund equal annually to 10 cents per pupil. Excepting school district containing free public library.

Chap. 132, Mar. 2, 1907.

1518. **North Carolina**: Amending sec. 4177, chap. 85, Revisal, 1905, relative to enlargement of public school libraries.

Providing that appropriations by county board of education shall be made from general school fund instead of from district school fund.

Sec. 1k, chap. 835, Mar. 9, 1907.

1519*. **North Dakota**: Creating a state library commission, defining its duties, and providing for an appropriation for its maintenance.

Chap. 243, Mar. 2, 1907.

1520. **Ohio**: Repealing sec. 3, S. B. 8, p. 8, Laws, 1902, extra sess. (sec. 3998–3, Revised Statutes, 1905), authorizing boards of education to provide library privileges for city, village, and special school districts.

S. B. 334, p. 65, Apr. 7, 1908.

1521. **Pennsylvania**: Supplementing act No. 291, Laws, 1895, establishing free public libraries in the several school districts, except in cities of first and second classes.

Authorizing school districts of townships and boroughs, adjoining cities of third class, to join in establishing and maintaining free public libraries or to join in aiding those otherwise established.

Act. No. 115, May 1, 1907.

1522. **Pennsylvania**: Providing for the establishment and maintenance of free public libraries, on a permanent basis, in all municipalities throughout the State (except in cities of first, second, and third classes), townships, and counties, in same manner as is now provided in case of boroughs.

Tax limited to 1 mill.

Act No. 290, June 6, 1907.

1523. **South Carolina**: Amending sec. 7, act No. 442, Acts, 1905, relative to the establishment of libraries in the public schools of rural districts.

Permitting state board of education to use unexpended balances to pay transportation, drayage, etc., in the circulation of traveling libraries and cabinets of museum specimens donated or loaned to the State. Permitting also balances to be used for prizes for rural school improvement.

Act No. 447, Feb. 25, 1908.

1524. **Utah:** Amending sec. 2102, Revised Statutes, 1898, relative to the Utah School for the Blind.

Providing for a circulating library for the blind of the State.

Chap. 80, Mar. 14, 1907.

1525*. **Utah:** Amending sec. 1815, Revised Statutes, 1898, as amended by chap. 37, Laws, 1901, and as amended by chap. 83, Laws, 1905, relative to the powers and duties of district school boards.

Providing for a public school library fund and prescribing the manner in which the same shall be expended.

Chap. 102, Mar. 14, 1907.

1526. **Virginia:** Providing for the establishment of libraries in the public schools of rural districts, and appropriating money therefor.

Providing that private subscriptions in the minimum sum of $15 shall be duplicated by appropriations by district school boards, such appropriations for no more than five libraries in any one year. Providing for selection of books, management of library, etc. Appropriating $5,000. State aid of $10 for each library thus established.

Chap. 316, Mar. 14, 1908.

1527. **Wyoming:** *See enactment No. 788.*

T. EDUCATION OF DEFECTIVES.

The development of the spirit of humanitarianism, with its resulting influence upon the public school system so as to provide for the education of the defective and delinquent classes of children, is among the interesting phenomena of present day social and educational activity. The following enactments, relating to the education of the deaf and dumb, blind, crippled and deformed, and feeble-minded are evidence of the continued intent of certain States to leave no child without the scope of the influences of the public school, and are consequently of a broadly significant character.

(a) General.

1528. **North Carolina:** Amending chap. 89, sec. 4199, Revised Laws, 1905, relative to the relief of indigent deaf and blind children attending school.

Providing for allowance for clothing.

Chap 69, Jan. 31, 1908 (sp. sess.).

1529. **Vermont:** Amending secs. 854 and 856, Statutes, 1894, the latter as amended by sec. 1, act No. 30, Acts, 1898, and sec. 1, act No. 51, Acts, 1904, also secs. 858, 860, and 861, Statutes, 1894, relative to the instruction of the deaf, dumb, blind, idiotic, feeble-minded, or epileptic children of indigent parents.

Including deaf, dumb, blind, and epileptic children of indigent parents within provisions of act. Constituting governor as commissioner for their instruction. Epileptic children included as beneficiaries.

Act No. 55, Nov. 9, 1906.

1530. **Vermont**: Providing for further instruction of the deaf, dumb, blind, idiotic, and feeble-minded.

Appropriating for expenditure, under the direction of the governor, an additional sum of $2,500 for the care, education, and training of deaf, dumb, blind, idiotic, feeble-minded, or epileptic children of indigent parents who have been discharged from state institutions.

Act No. 57, Nov. 19, 1906.

(b) Deaf and Dumb.

1531. **Alabama**: Amending sec. 3700, Code, 1896, as amended by sec. 3, act No. 15, p. 23, Laws, 1901, as amended by act No. 28, p. 45, Laws, 1903 (sec. 1935, Code, 1907), relative to board of trustees of Alabama Institute for the Deaf.

Modifying in minor manner size and constitution of board.

Act No. 801, p. 911, Aug. 9, 1907. (Sec. 1935, Code, 1907.)

1532. **Arkansas**: Providing for the support, maintenance, and government of the Arkansas Deaf Mute Institute.

Defining qualifications of teachers. Prohibiting nepotism. Providing for impartial hearing for discharged employees.

Act No. 316 (in part), May 14, 1907.

1533. **Delaware**: Amending sec. 4, chap. 58, Laws, 1875, as amended by chap. 245, Laws, 1899, relative to period of extension of the term of indigent deaf, dumb, and blind in institutions for instruction of such indigents.

Extending period from five to seven years.

Chap. 143, Mar. 15, 1907.

1534. **Idaho**: Repealing act p. 226, Laws, 1891, and H. B. No. 69, p. 162, Laws 1899, and H. B. No. 359, p. 462, Laws, 1899, relative to the education of the deaf, dumb, and blind, and enacting a substitute.

Empowering and authorizing state board of education to make necessary arrangements for the education of the deaf, dumb, and blind of the State at the expense of the State. Providing for census of deaf, dumb, and blind persons. Appropriating $32,000.

H. B. No. 142, p. 240, Mar. 12, 1907.

1535. **Louisiana**: Changing the name of the "Louisiana Institute for the Deaf and Dumb" to the "Louisiana State School for the Deaf."

Act No. 239, July 8, 1908.

1536. **Michigan**: Amending sec. 8, act No. 116, Acts, 1893 (sec. 1997, Compiled Laws, 1897), relative to the superintendent of the Michigan School for the Deaf.

Requiring superintendent to have had experience and knowledge in the teaching of deaf children.

Act No. 202, June 22, 1907.

1537. **Minnesota**: *See enactment No. 1046.*

1538. **Nevada**: Amending act of March 2, 1869 (secs. 1386 and 1388, Compiled Laws, 1900), relative to the education of the deaf and dumb and blind.

Providing for arrangements with Utah institutions in addition to California institutions for the education of such persons. Sundry minor amendments.

Chap. 175, Mar. 29, 1907.

1539. **North Carolina**: Limiting admission of deaf children to the school for the deaf and dumb.

White deaf children between ages of 8 and 23 years of age, bona fide residents of State for period of two years, eligible to free tuition and maintenance.

Rules for the admission of nonresidents.

Chap. 929, Mar. 11, 1907.

1540. **Ohio**: Repealing and reenacting with amendments, secs. 659, 660, and 661, Revised Statutes (1905), and sec. 1, S. B. 87, p. 75, Laws, 1898 (sec. 659–1, Revised Statutes, 1905), relative to the education of the deaf and blind.

Changing name to "State School for the Deaf," and extending the time which pupils may remain in said school.

H. B. 1038, p. 598, Mar. 31, 1908.

1541. **Oklahoma**: Creating and establishing a school for the education of the deaf and dumb of the state.

Providing for name, location, purpose, and management of school. Also conditions of admission of pupils.

Chap. 70, S. B. 342, p. 617, May 14, 1908.

1542. **Utah**: Amending sec. 2104, Revised Statutes, 1898, relative to the Utah State School for the Deaf and Dumb.

Changing name to "Utah School for the Deaf."

Chap. 12, Feb. 28, 1907.

1543. **Utah**: Amending sec. 2117, Revised Statutes, 1898, relative to the education of deaf and dumb or blind children.

Applying provision of law to any deaf, mute, or blind child between ages of 8 and 18 years (formerly any *totally* deaf, mute, or blind child between ages of 8 and 18 years). Minor amendments adapting language of law so as to incorporate changed name of school for the deaf (see chap. 12, enactment No. 1542).

Chap. 62, Mar 14, 1907.

1544. **Utah**: Amending secs. 2101 and 2103, Revised Statutes, 1898, relative to the school for the blind.

Adapting language in accord with chap. 12, Feb. 28, 1908, changing name of school for deaf and dumb (see enactment No. 1542).

Chap. 101, Mar. 14, 1907.

1545. **Vermont**: Amending secs. 863 and 864, chap. 46, Statutes, 1894, relative to the instruction of the deaf, dumb, and blind.

Extending provisions relative to education of one or more blind children over 14 years of age in state institutions to include deaf and dumb children.

Act No. 56, Nov 13, 1906.

1546. **Wisconsin**: Amending sec. 578, Statutes, 1898, as amended by chap. 86, Laws, 1903; also, sec. 579a, as created by chap. 422, Laws, 1901; creating secs. 579m and 579n, relative to the education of deaf and dumb.

Applying provisions of acts to deaf persons (formerly, deaf mutes). Requiring officers of school districts maintaining day schools for the deaf to report to state superintendent alone (formerly, state board of control also). Creating surplus fund of unexpended annual balances.

Providing for compulsory education of deaf children 6 to 16 years of age. Penalties for violation.

Chap. 128, May 22, 1907.

(c) Blind.

1547. **Arkansas:** Providing for the support and maintenance of, and necessary repairs for the Arkansas school for the blind.

Sundry provisions regarding employment and discharge of teachers, officers, and employes. Fixing qualifications of teachers (effective Oct. 1, 1907). Prohibiting nepotism.

Act No. 324 (in part), May 14, 1907.

1548. **Delaware:** Making provision for the education and training of the indigent adult blind persons of the State.

Providing for the appointment and compensation of an instructor of adult indigent blind persons, and for the manner of application for said instruction.

Chap. 143, Mar. 9, 1907.

1549. **Louisiana:** Changing the name of the "Louisiana Institute for the Blind" to the "Louisiana State School for the Blind."

Act No. 238, July 8, 1908.

1550. **Maine:** Making appropriation for the Maine Institution for the Blind.

Appropriating $20,000 for 1907 and a like sum for 1908, to be used for maintenance, and particularly for giving to blind persons over 18 years of age practical instruction in some occupation conducive to self-support.

Resolves, chap. 14, Feb. 6, 1907.

1551. **Massachusetts:** Amending chap. 385, Acts, 1906, relative to the establishment of the Massachusetts commission for the blind.

Providing that a sum not to exceed $5,000 may be advanced to the commission as a working capital for its industries.

Chap. 173, Mar. 6, 1907.

1552. **Michigan:** Amending secs. 7 and 9, act No. 123, Acts, 1893 (secs. 2015 and 2017, Compiled Laws, 1897), relative to admission, dismissal, and attendance of the Michigan School for the Blind.

Providing for the transfer of pupils over 18 years of age to the Michigan Employment Institution for the Blind. Providing for enumeration of blind children in school census; prescribing duties of enumerators. Children between the ages of 7 and 19 years who are blind, or whose vision is so defective as to make it impossible to have them properly educated in the schools for the seeing, to be sent to the Michigan School for the Blind. Exceptions. Provisions for enforcement, for indigent cases, and for violations.

Act No. 116, May 28, 1907.

1553. **Missouri:** Amending sec. 7752, art. 4, chap. 118, Revised Statutes, 1899, relative to Missouri School for the Blind.

Changing the age limit of those entitled to admission (formerly 9 to 25) to 6 to 20. Extending period of benefits from 8 years to 12 years.

H. B. No. 450, p. 305, Mar. 19, 1907.

1554. **New Jersey:** Authorizing the appointment of a commission to investigate and report upon the condition of the blind residents of the State, to investigate the methods by which other States provide for the blind, and to recommend remedies by which the condition of the blind in the State may be ameliorated.

Jt. Res. No. 8, Apr. 9, 1908.

1555. **New Mexico:** Amending sec. 8, chap. 2, Laws, 1903, relative to admission to the institute for the blind.

Raising maximum age of admission from 21 to 25 for the four succeeding years.

Chap. 4, Feb. 21, 1907.

1556. **North Carolina:** Compelling blind children to attend school.

Blind children between 7 and 17 years of age to attend state school for blind and deaf. Prescribing duties of parents and guardians and fixing penalties for violations. School census to include blind children.

Chap. 141, Feb. 1, 1908 (sp. sess.). (Sept. 1, 1908.)

1557. **Wisconsin:** Creating sec. 579a, Statutes, 1898, relative to the education of the blind.

Providing for the establishment and maintenance of schools for the blind in a similar manner to schools for the deaf as provided for by secs. 578, 579a, 579m, and 579n, Statutes (Chap. 128, Laws, 1907). Authorizing state superintendent to instruct inspector of day schools for the deaf to inspect day schools for the blind without additional compensation.

Chap. 551, July 10, 1907.

(d) Crippled and Deformed.

1558. **Massachusetts:** Changing the name of the "Massachusetts School and Home for Crippled and Deformed Children" to the "Massachusetts Hospital School."

Chap. 226, Mar. 20, 1907.

(e) Feeble-Minded.

1559. **Maine:** Providing for the care and education of the feeble-minded.

Providing for the establishment and maintenance of a school, to be known as the "Maine School for Feeble-Minded," for the education and care of the idiotic and feeble-minded, 6 years of age and upward, who are at present supported by towns in the State, and who are capable of being benefited by school instruction.

Providing for trustees, fixing the compensation, and defining the powers and duties thereof.

Providing for the mode of committal and admittance of persons to said school.

Providing for cost and for method of discharge; for the erection and equipment of buildings. Making biennial appropriation of $60,000.

Chap. 44, Mar. 6, 1907.

1560. **Massachusetts:** Establishing the name of the "Wrentham State School" (school for feeble-minded).

[See chap. 508, Acts, 1906.]

Chap. 421, May 16, 1907.

1561. **North Dakota:** Amending secs. 1165, 1167, 1168, 1910, 1911, and 1912, Revised Codes, 1905, relative to institution for the feeble-minded.

Requiring semiannual payment of $50 by persons legally responsible for persons admitted. County to pay in cases of indigence.

Chap. 237, Mar. 7, 1907.

1562*. **Rhode Island:** Providing for the establishment, maintenance, management, and control of the Rhode Island School for the Feeble-Minded.

Placing said school under the control of the state board of education. Appropriating $25,000 for site and building. Prescribing powers and duties of board and condition of admission or commitment.

Requiring the establishment of a school department for the instruction of persons within school age capable of being benefited and a custodial department for others.

Chap. 1470, Apr. 23, 1907.

U. EDUCATION OF DEPENDENTS AND DELINQUENTS.

Properly speaking, the enactments of this group do not belong within a classification of strictly educational legislation. They are included here, however, as evidences of the widespread legislative endeavors to meet the social and educational needs of those classes of children who, under other circumstances, not only have the meagerest educational opportunity, but who are most likely to become, without control and education, members of a nonsocial class. Particular attention and emphasis should be placed upon the several enactments creating or modifying the juvenile court, which is generally recognized as having become a most valuable educational instrumentality.

(a) General.

1563. **Alabama:** Delinquent children and juvenile court act.

Act No. 340, p. 442, Mar. 12, 1907.

1564. **Arizona:** Defining the powers of the several district courts with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children under 16 years of age.

Defining "dependent," "neglected," "incorrigible," and "delinquent" children. Providing for separate sessions of district courts, for powers and procedure of court, for the appointment of probation officers, for conditions and methods of commitment.

Chap. 78, Mar. 21, 1907.

1565. **Arkansas:** Providing for the better maintenance and bringing up of children.

Authorizing county judges to take charge of certain neglected and delinquent children between 3 and 15 years of age.

Act No. 237, Apr. 30, 1907.

1566. **California:** Adding sec. 31 to chap. 222, Statutes, 1893, establishing a school for the discipline, education, employment, reformation, and protection of juvenile delinquents, to be known as the "Whittier State School."

Providing for the transfer thereto of certain boys under 18 years of age from the state prison.

Chap. 4, Feb. 7, 1907.

1567. **California:** Amending chap. 43, Statutes, 1903, as amended by sec. 16, chap. 610, Statutes, 1905, relative to the control, protection, and treatment of dependent and delinquent children.

Sundry minor amendments. Provisions concerning establishment, by municipalities or counties, of places for the detention of dependent and delinquent children. Providing also for payment of expenses of maintenance of such children.

Chap. 427, Mar. 21, 1907.

1568*. **California:** Adding sec. 9 to chap. 19, Statutes, 1880, relative to the support of orphans, half orphans, and abandoned children.

Providing that the state series of school text-books shall be furnished to state institutions for the support of such children. Appropriating $10,000 annually.

Chap. 472, Mar. 22, 1907.

1569. **Colorado**: Providing for the establishment of a juvenile court in each county and in each municipality known and designated as a city and county within the State in which there are 100,000 or more inhabitants.

Prescribing the jurisdiction, powers, rights, proceedings, and practice of such courts; defining the rights, powers, duties, and qualifications of the judges and other officers connected therewith; and providing for the maintenance thereof.

Chap. 149, Apr. 3, 1907. (May 15, 1907.)

1570. **Colorado**: Concerning dependent and neglected children.

Defining terms "dependent child" and "neglected child." Providing for trial of cases concerning such children in the county and juvenile courts. Prescribing method of petition for trial, conduct of hearing, and regulations concerning commitment of child to state home or adoption by some family.

"SECTION 9. This act shall be liberally construed to the end that its purpose may be carried out, to wit: That proper guardianship may be provided for in order that the child may be educated and cared for, as far as practicable, in such manner as best subserves its moral and physical welfare, and as far as practicable in proper cases that the parent, parents, or guardian of such children may be compelled to perform their moral and legal duty in the interest of the child."

"SECTION 7. Any dependent child committed to the state home for dependent and neglected children shall as to its care and disposition by said home be subject to the provisions of the act approved April 10, 1895, or any amendment thereto, establishing said home for dependent and neglected children. This act shall also be subjected to the right of the state bureau of child and animal protection to be appointed guardian of any child neglected or cruelly treated as now or hereafter provided by the laws of this State."

Chap. 168, Apr. 2, 1907.

1571. **Colorado**: Amending secs. 9, 14, 17, and 35, chap. 15, Laws, 1897, establishing the State Industrial School for Girls.

Authorizing board of control, upon proper notice, to hold the regular monthly meeting in Denver. Requiring members to personally examine school at least once during any month the meeting is not held at the school.

Making minor change in method of releasing a girl. Empowering board of control to return to authorities from whom received any girl considered an improper subject for the school and providing other treatment for such girl.

Chap. 225, Apr. 8, 1907.

1572. **Delaware**: Amending chap. 42, Laws, 1904–5, authorizing the levy court of Newcastle County to pay for the maintenance of persons committed to the Delaware Industrial School for Girls.

Increasing amount paid for each person from 25 to 40 cents per day.

Chap. 136, Mar. 14. 1907.

1573. **Idaho**: Amending secs. 8 and 12, H. B. No. 114, Laws, 1905, relative to the care of delinquent children.

Reducing penalties for violation of act. Providing for the appointment of not more than two probation officers in counties having a school population of over 5,000; for one in others.

Boards of school trustees to report cases of truancy, delinquency, and incorrigibility to county superintendent, who shall report such cases to the judge of the probate court.

H. B. No. 9, p. 231, Mar. 12, 1907.

1574. **Indiana**: Concerning the names, management, and control of the state benevolent, reformatory, and penal institutions, defining the powers of the boards of trustees, prohibiting campaign assessments, and providing penalties.

Names of institutions changed:

"SECTION 2. The name of the Indiana Industrial School for Girls is hereby changed to the Indiana Girls' School; the name of the Indiana Institution for the Education of the Deaf and Dumb is hereby changed to the Indiana State School for the Deaf; the name of the Indiana Institution for the Education of the Blind is hereby changed to the Indiana School for the Blind; and said schools for the deaf and for the blind shall not be regarded nor classed as benevolent or charitable institutions, but as educational institutions of the state conducted wholly as such."

Chap. 98, Mar. 2, 1907.

1575. **Kansas:** Amending and supplementing chap. 190, Laws, 1905, establishing a juvenile court and providing for dependent and neglected children.

Providing penalty for parents or other persons responsible for delinquency, dependency, or neglect. Provision for suspension of sentence and the recovery of forfeited bonds. Providing for the establishment of a detention home or a juvenile farm in counties having a population of more than 20,000. Providing for the conduct and support of such. Providing for reports of juvenile courts.

Chap. 177, Mar. 12, 1907.

1576. **Kentucky:** Amending secs. 1, 6, 8, 9, 10, 13, 14, and 29, chap. 18, Laws, 1906, creating and establishing a board of commissioners to be known as the "state board of control for charitable institutions," and prescribing its powers and duties.

Chap. 28, Mar. 21, 1908.

1577. **Kentucky:** Repealing chap. 54, Laws, 1906, providing for the punishment of persons responsible for or directly promoting or contributing to the conditions that render a child dependent, neglected, or delinquent; and enacting a substitute.

Chap. 60, Mar. 19, 1908.

1578. **Kentucky:** Repealing chap. 64, Laws, 1906, relative to the powers of the several county courts with reference to the care, treatment, and control of delinquent, neglected, and dependent children, and enacting a substitute.

Chap. 67, Mar. 19, 1908.

1579. **Louisiana:** *See enactment No. 953.*

1580. **Louisiana:** Regulating the care, treatment, and control of neglected and delinquent children, 17 years of age and under, and providing for the trial of adults charged with the violation of laws for the protection of the physical, moral, and mental well-being of children, or with desertion or failure to support wife or children; organizing the juvenile court in the parish of Orleans, providing a judge and officers therefor, and fixing their qualifications, mode of election and appointment, term of office, and compensation; providing for separate sessions, as juvenile courts, of the district courts outside of said parish; defining the jurisdiction of said courts and prescribing the procedure therein; providing said courts with probation officers of either sex, and fixing their mode of appointment, duties, and powers; providing for indeterminate sentences by said courts and for appeals therefrom; providing for the investigation of persons and institutions utilized by said courts, and for the compilation of statistics respecting their operations; and providing penalties for violations.

Act No. 83, June 30, 1908. (Jan. 1, 1909.)

1581. **Louisiana**: Proposing an amendment to the constitution ratifying and carrying into effect an act of the legislature regulating the care of neglected and delinquent children and for the trial of adults in certain cases, establishing a juvenile court in the parish of Orleans, and providing for separate sessions, as juvenile courts, of the district courts outside of said parish, and making other provisions cognate thereto.

Act No. 245, July 8, 1908.

1582. **Maine**: Amending sec. 31 and repealing sec. 32, chap. 143, Revised Statutes, 1903, relative to the Maine Industrial School for Girls.

Expenses of clothing and subsistence of girls to be paid by the State rather than city or town of residence.

Chap. 31, Mar. 6, 1907.

1583. **Maine**: Amending secs. 3 and 4, chap. 22, Acts, 1903 (secs. 3 and 4, chap. 143, Revised Statutes, 1903), and repealing sec. 5, chap. 143, Revised Statutes, 1903, relative to the State School for Boys. Repealing provision relative to notices of liability to cities and towns and to the recovery of expenses by the State.

Expenses of boys committed to State School for Boys to be paid by the State instead of the town of residence. Making annual appropriation of $4,000 for two years to defray expenses.

Chap. 120, Public Laws, Mar. 26, 1907.

1583a. **Maryland**: Regulating the importation into the State of actual paupers, vagrant, criminal, incorrigible, insane, or helplessly crippled or diseased children.

Chap. 42, p. 92, Mar. 3, 1908.

1584. **Massachusetts**: Providing for an investigation and report by the state board of charity relative to the establishment of an industrial school for boys.

Appropriating $500. Board to report not later than Jan. 1, 1908.

Resolves, chap. 121, June 21, 1907.

1584a. **Massachusetts**: Providing for the establishment of the industrial school for boys.

Chap. 639, June 13, 1908.

1585. **Michigan**: Amending secs. 5 and 7, act No. 143, Acts, 1903, providing for the government, management, and control of the state public school at Coldwater.

Bringing dependent children between 12 and 14 within provisions of act.

Act No. 301, June 27, 1907.

1586. **Michigan**: Providing for the punishment of persons responsible for or contributing to the delinquency of children.

Authorizing fine not to exceed $100, imprisonment in county jail for not more than ninety days, or both.

Act No. 314, June 28, 1907.

1587. **Minnesota**: Amending chap. 285, Laws, 1905, regulating the treatment and control of dependent, neglected, and delinquent children.

Providing for the establishment of detention homes and for their control. Defining authority of juvenile courts to place children in such homes.

Chap. 172, Apr. 12, 1907.

1588. **Minnesota:** Amending secs. 5496, 5497, 5500, and 5501, Revised Laws, 1905, relative to juvenile offenders.

Providing in counties having more than 50,000 inhabitants that a probation officer shall be appointed by district judges (formerly, state board of control). Sundry other amendments concerning powers, duties, reports, and compensation of probation officers.

Chap. 342, Apr. 23, 1907.

1589. **Missouri:** Regulating the treatment and control of neglected and delinquent children, and providing necessary places of detention for such, in counties having a population of 100,000 and less than 150,000 inhabitants.

Defining "neglected" and "delinquent" child. Designating a juvenile court, prescribing procedure and authority. Authorizing probation officers, etc.

S. B. No. 463, p. 217, Mar. 19, 1907.

1590. **Montana:** Concerning dependent and neglected children, and concerning the parents, guardians, and other persons responsible for the custody, care, and maintenance and support of such children, and providing penalties.

Defining "delinquent or neglected child." Granting jurisdiction to district courts. Prescribing mode of complaint and procedure. Providing penalties for violations.

Chap. 92, Mar. 5, 1907.

1591. **Montana:** Concerning delinquent children or delinquent juvenile persons; providing for their apprehension, custody, and disposition; the jurisdiction of courts and proceedings therein; and concerning the parents, guardians, and other persons responsible for the custody, care, education, maintenance, and control of such children; providing for punishments and penalties.

Chap. 126, Mar. 6, 1907.

1592. **Nebraska:** Repealing, and reenacting with amendments, secs. 1, 6, 7, 9, and 11, chap. 59, Laws, 1905, regulating the treatment and control of dependent, neglected, and delinquent children.

Raising age limits of such children and making sundry minor amendments relative to probation officers and commitments.

Chap. 45, Apr. 9, 1907.

1593. **New Hampshire:** Repealing secs. 24 and 25, chap. 284, Public Statutes, 1901, and enacting new sec. 24, relative to industrial schools.

Making the State instead of the town or county liable for board and instruction of person committed.

Chap. 133, Apr. 5, 1907. (Apr. 15, 1907.)

1594. **New Jersey:** Providing for the establishment of a school and school facilities and accommodations in the state prison.

Requiring board of inspectors of the state prison to establish said school; creating a state prison school board and placing school under its supervision and control. Prescribing powers and duties. All teachers but head teacher may be inmates.

Chap. 65, Apr. 15, 1907.

1595. **New York:** Establishing a state probation commission and defining its powers and duties.

Commissioner of education an ex-officio member of such commission.

Chap. 430, June 6, 1907.

1596. **North Carolina:** Establishing a reformatory or manual training school for the detention and reformation of the criminal youth of the State.

Chap. 509, Mar. 2, 1907.

1597. **Ohio:** *See enactment No. 962.*

1598. **Ohio:** Repealing, and reenacting with amendments, sundry laws regulating the treatment and control of dependent, neglected, and delinquent children.

S. B., 413, p. 192, Apr. 24, 1908.

1599. **Oklahoma.** Authorizing and establishing state orphan homes for destitute or dependent white and colored children, naming same, and providing for a superintendent and board of four directors for each.

Chap. 70, H. B. 671, p. 629, May 18, 1908.

1600. **Oregon.** Repealing chap. 80, Laws, 1905, and enacting a substitute defining and regulating the treatment and control of dependent, neglected, and delinquent children.

Providing for the disposition, care, education, protection, support, maintenance, and punishment of such children; for their guardianship and adoption; prescribing the powers and duties of courts with reference thereto. Establishing and providing for the maintenance of juvenile courts; prescribing their jurisdiction and powers, and the procedure therein. Providing for the appointment and compensation of probation officers, and prescribing their duties and powers. Providing for the supervision and control of all corporations, institutions, societies, and associations receiving children under the act.

Chap. 34, Feb. 15, 1907.

1601. **South Dakota:** *See enactment No. 1073.*

1602. **South Dakota.** Changing the name of the South Dakota Reform School.

Name changed to "South Dakota Training School."

Chap. 222, Mar. 7, 1907.

1603. **Tennessee:** Amending sec. 12, chap. 516, Laws, 1905, relative to delinquent children (juvenile court law).

Applying law to counties of 100,000 inhabitants (formerly 70,000) and over by the Federal census of 1900 or any future census.

Chap. 110, Mar. 18, 1907.

1604. **Utah:** Repealing sec. 4, chap. 124, Laws, 1903, relative to dependent and neglected children, and chap. 117, Laws, 1905, relative to juvenile courts, and reenacting substitute measures.

Providing for juvenile courts, the title, term of office, and compensation of the judge thereof, for a juvenile court commission and specifying its duties, for clerks of said court; defining the jurisdiction of juvenile courts, and providing for the jurisdiction of district courts in certain cases; defining and specifying the practice and procedure of juvenile courts; providing for appeals to the supreme court; providing for a reporter for the juvenile court; defining the duties of county attorney; providing for probation officers and their duties and compensation; making disposition of fines in said courts, regulating the time and place of holding court and service of process.

Chap. 139, Mar. 25, 1907.

1605. **Vermont:** Instructing joint standing committee on industrial school at Vergennes to visit that institution and inquire into its reformatory methods, sanitary conditions, practical workings, and the repairs needed.

Jt. Res. No. 513, Nov. 19, 1906.

1606. **Washington:** Amending sec. 1, Laws, 1890, providing for the establishment and location of a state reform school (p. 271).

Changing name from "State Reform School" to "State Training School."

Chap. 90, Mar. 9, 1907.

1607. **Wisconsin:** Amending sec. 573f, Statutes, 1898, relative to the commitment of neglected children to the state public school.

Chap. 82, May 4, 1907.

1608. **Wisconsin:** Amending sec. 4966, Statutes, 1898, providing for the commitment of children to the industrial schools.

Female as well as male children convicted of a criminal offense may be sent to an industrial school. Maximum age limit for so sending fixed at 18 years.

Vagrant or incorrigible boys between ages of 8 and 16 years (formerly 10 and 18) to be sent to Wisconsin Industrial School for Boys.

Chap. 630, July 13, 1907.

1609. **Wyoming:** Providing for the care and training of delinquent children.

Authorizing court in certain instances to commit children to care of certain institutions and societies.

Chap. 60, Feb. 16, 1907.

(b) Truant and Detention Schools.

1610. **Colorado:** Providing for a detention house in each county, and in each municipality known and designated as a city and county, within the State, in which there are 100,000 or more inhabitants, and providing for the maintenance thereof.

Detention house to be erected and maintained by the county commissioners and conducted in connection with the juvenile court; superintendent to be appointed by the judge of juvenile court, and to direct the conduct or discipline and education or care of children placed therein.

School board, upon request of judge of court, to furnish teachers, books, or appliances for the proper education of children detained and to pay the expense thereof.

Chap. 170, Apr. 2, 1907.

1611. **Iowa:** Amending and adding to chap. 11, Laws, 1904, enlarging the powers of the district court, and regulating the treatment and control of dependent, neglected, and delinquent children.

Providing for the establishment, in counties having a population of more than 50,000, of a detention home. Providing compensation for and empowering probation officers for such counties. Authorizing tax levy of 1 mill.

Chap. 7, Mar. 27, 1907.

1611a. **Maryland:** Repealing, and reenacting with amendments, sec. 156, art. 77, Public General Laws, 1904, relative to parental schools in the city of Baltimore and Allegany County.

Chap. 241, p. 229, May 31, 1908.

1612. **Massachusetts:** Changing the name of certain truant schools.

Such schools to be called "training schools."

Chap. 103, Feb. 24, 1908.

1613. **Minnesota:** *See enactment No. 1587.*

1614. **Nebraska:** Authorizing county boards to make appropriations for the establishment and maintenance of detention homes in connection with juvenile courts.

Chap. 46, Mar. 18, 1907.

1615. **New Jersey:** Amending secs. 1, 3, and 5, chap. 37, Laws, 1906, establishing schools of detention.

Striking out clause authorizing such establishment only in counties of 150,000 population. Constituting such detention school a special school district. Entitling it to receive apportionment of state school funds, and providing for a board of directors. Extending scope of educational activities so as to include industrial training, training for citizenship, etc. Providing for selection and organization of teaching force. Permitting counties under certain conditions to contract with private institutions for the care of such dependent and delinquent children, such private schools not to be regarded as parts of the state school system.

Chap. 307, Apr. 16, 1908.

1616. **Utah:** Providing detention homes for the care and custody of dependent or delinquent children 16 years of age or under, and for the care, education, conduct, and maintenance thereof.

Applying to counties containing cities of the first or second class.

Chap. 144, Mar. 25, 1907.

1617. **Wisconsin:** Amending chap. 447, Laws, 1903, authorizing the establishment of truant ungraded day schools and parental boarding schools and commitments to such schools in cities of the first class.

Allowing city to establish such a school within or without (formerly within) the city limits, or to contract with city having such school. Fixing age limit of children in school at 18 (formerly 16) years. Board of education to appoint officers, teachers, and agents. Providing for regular oversight of children on parole by parole agents or teachers. Making nature of child's home a consideration for parole.

Chap. 186, June 6, 1907.

RECENT DECISIONS OF FEDERAL AND STATE SUPREME COURTS UPON TOPICS OF CURRENT INTEREST IN PUBLIC EDUCATION.[a]

EXPLANATORY STATEMENT.

The following decisions of the highest courts of the States concerned, including one of the Supreme Court of the United States, have been selected for presentation here primarily by reason of their evident far-reaching influence upon the schools of the States in which the decisions have been rendered, in addition to the fact that they deal with topics possessing more than ordinary interest to those engaged in the work of public education. No effort has been made to discuss either the educational or the judicial implications of the decisions. The first would necessitate a fairly accurate knowledge of the local educational circumstances involved, while to attempt the second would not only carry the discussion beyond the present purpose, but would perhaps evidence presumption on the part of a layman. It has been deemed sufficient to present the facts and opinion rendered, either in full or by digest, in each case.

JURISDICTION OF STATE DEPARTMENTS OF EDUCATION.

I. New York.

[People ex rel. Walrath *v.* O'Brien (Supreme Court, New York, appellate division, March, 1906), 97 N. Y. Sup., 1115.]

COCHRANE, J.—The purpose of this proceeding is to review the action of the respondents composing the board of education of the city of Troy in removing the relator from his position as principal of the high school in said city, which position he held from about March 1, 1897, until the time of his removal by the respondents as aforesaid, which occurred in December, 1905.

By chapter 560 of the laws of 1902, which applies only to some of the cities of the second class, including the city of Troy, it is provided among other things that "all principals shall hold their positions during good behavior and shall be removable only for cause, after a hearing, by the affirmative votes of at least a majority of the board" of education.

[a] For digests of and citations to other decisions relating to public education, see Index, under "Decisions."

The petition of the relator herein shows that charges were preferred against him to the board of education; that a hearing on such charges was accorded to him by said board; and that after such hearing he was removed as aforesaid. Such hearing constituted a trial, and the action of the board in removing the relator from his position was a decision that such charges were properly made and that they constituted just cause for his removal. The relator, feeling himself aggrieved by such decision, seeks by this proceeding to have it reviewed by the court.

Title 14 of the consolidated school law (chapter 556 of the laws of 1894) provides that "any person conceiving himself aggrieved in consequence of any * * * official act or decision concerning any other matter under this act or any other act pertaining to common schools may appeal to the superintendent of public instruction, who is hereby authorized and required to examine and decide the same; and his decision shall be final and conclusive and not subject to question or review in any place or court whatever." By the same title the superintendent of public instruction is given power in reference to such appeals to make all orders which may in his judgment be proper or necessary to give effect to his decisions. Chapter 40 of the laws of 1904 abolishes the office of superintendent of public instruction, but provides that the powers and duties of his office shall be exercised and performed by the commissioner of education therein provided for, so that appeals may now be taken to the commissioner of education in the same cases where before the enactment of the last-mentioned statute such appeals might have been taken to the superintendent of public instruction.

The relator herein concedes that the public schools of Troy, including the Troy High School, are common schools and that chapter 560 of the laws of 1902, above referred to, relating to cities of the second class, including the city of Troy, is an act pertaining to common schools.

It thus appears that the relator, if aggrieved, may have complete and ample redress by an appeal to the commissioner of education, and as no statute to which we are referred authorizes a writ of certiorari in a case like this, section 2122 of the Code of Civil Procedure applies, which, so far as pertinent to this case, is as follows: "Except as otherwise expressly prescribed by a statute, a writ of certiorari can not be issued * * * where the determination can be adequately reviewed by an appeal to a court or to some other body or officer."

The determination of the board of education which the relator complains of can be adequately reviewed by the state commissioner of education, and hence the relator is not at liberty to avail himself of a writ of certiorari, and the order quashing such writ, which had previously been allowed, was properly granted.

The order must be affirmed, with $10 costs and disbursements.

NOTE.—The following decision of the commissioner of education of New York (April 9, 1906) in the foregoing case is also presented in order to display the complete circumstances relating to the above case:

[New York State Education Department. In the matter of the appeal of Martin H. Walrath *v.* The Board of Education of the City of Troy.]

BY THE COMMISSIONER.—This is an appeal from the action of the board of education of the city of Troy in removing appellant from the position of principal of the high school. The action of the board was based upon charges made by the superintendent of schools. The charges were served upon the appellant November 23, 1905, when he was notified that his trial would be held before the board November 27, 1905. At that time the investigation proceeded; the corporation counsel attended and prosecuted the charges and the appellant was attended by counsel; adjournments were had from day to day and the testimony was taken at much length. On December 4, 1905, the board voted that the appellant had been found guilty, without specifying the particular offenses of which he was found guilty, and that he should be dismissed from his position forthwith.

Section 245 of the charter of cities of the second class, of which Troy is one, provides, among other things, as follows: "All principals shall hold their positions during good behavior and shall be removable only for cause, after a hearing, by the affirmative votes of at least a majority of the board."

The appellant is a graduate of Syracuse University in the class of 1889, and had been principal of the Troy High School since March 1, 1897.

The charges were made by Mr. Edwin S. Harris, the superintendent of the Troy schools since September, 1904. They were made at the instance of the board, although the proceedings clearly show that the superintendent himself was an active agent in preparing and proving them. They were drawn by the corporation counsel upon information supplied by the superintendent, and they were signed and verified by the superintendent. They alleged incompetency; neglect of duty; disobedience of the rules, requirements, and directions of the board of education and of the superintendent of schools; maladministration and misconduct in office; conduct unbecoming a teacher and principal of a high school; and asserted that the things complained of were done or omitted intentionally, willfully, and maliciously.

The specifications set forth twelve instances of alleged misdeeds or failure to perform the duties of appellant's position. Stripped of legal verbiage, these were as follows:

1. Failure to assign a teacher to the head of the modern-language department after she had been appointed thereto by the board.

2. Refusal for some days to assign another teacher to work in mathematics after her appointment thereto by the board.

3. Criticism of the board for the foregoing appointments.

4. Hindering the employees of the department of public works from making certain changes at the high school, directed by the board of education.

5. Failure to report a list of the students of the high school and the number of school credits granted to each, as well as the number claimed by each, notwithstanding the directions of the board.

6, 7, 8. Failure to maintain discipline of pupils on several named occasions and to report thereupon, although directed to do so.

9. Failure to keep accurate records of work and credits of students.

10. Untrue and inaccurate reports of work and credits of students.

11. Failure to make true and accurate reports of the attendance of nonresident students.

12. Unjust, improper, and malicious criticism of the board and the superintendent.

The answer of the appellant denied, severally and specifically, the charges of the superintendent, adding what the principal claimed were explanations of certain facts brought out by the allegations made against him.

At the hearing before the board the main witnesses were the superintendent and the principal. Of the 429 pages of the record, their testimony fills 299 pages. The proof of the charges rests almost exclusively upon the testimony of Mr. Harris, the superintendent. But one other witness was called to sustain the allegations, and he upon but one unimportant matter. The contentions of the principal are corroborated here and there by the testimony of several teachers in the high school and by others.

The commissioner of education has read, and heard able counsel upon, and reflected upon this testimony. Though probably not bound to be limited by the record, he has been. There has been no desire to take over the functions of the board of education or to substitute the discretion of the commissioner for that of the board. If the weight of evidence seemed nearly balanced, and the judges appeared free from bias, and the judgment inflicted a penalty fairly adjusted to a real offense reasonably established, the commissioner would sustain the board, even though it might seem to him that they had fallen into some incidental errors and his conclusions upon the facts were not fully in accord with theirs. But he can come to no other conclusion than that the board was of one mind in prejudging the case and intent upon coming to but one end; was biased against the appellant; magnified the small incidents of administration beyond reason; denied him the fair opportunities of defense; inflicted a penalty wholly out of proportion to any apparent delinquency, and so violated the law which they were bound to regard.

No immoral act is charged against the appellant; no hasty or uncontrollable temper is intimated; nothing to show that he brought dishonor upon his position is established; no doubt about his scholarship is brought forward. It nowhere appears that he did not enjoy the common respect of the community, of associate teachers, and of his pupils. He certainly carried himself with much steadiness under trying circumstances. The most that is alleged and attempted to be proved is that he failed to do something that he should have done, or talked too freely, and, under the light of all that was brought out before the board, even so much fades pretty nearly to the vanishing point.

The superintendent had a professional as well as a legal and moral obligation to the principal, and whatever difficulties there were should have been settled between the superintendent and principal, and would have been if the members of the board and the superintendent had been moved by nothing but the good of the schools and regard for a teacher in a responsible place. Indeed, the proceedings unmistakably declare the fact that the difficulties which have set the schools and the people of a city in most regrettable turmoil have arisen out of the solicitude of this principal for the character and the quality of the faculty over which he was to preside, and out of the integrity that could not always bend to even official authority which had some other aims than the exclusive good of the schools.

The teachers who were appointed to the high school faculty without conference with the principal were assigned to work by him with little delay and no more than was inevitably incident to his surprise and to their lack of adaptation to new and responsible duties. The criticisms against the members of the board sound very differently when repeated by one side from what they do when explained by the other, and, in any event, were not to the public and not beyond what any public officer must expect, without exercising his official power to turn people out of permanent positions. The allegation about interfering with changes in the building grew out of an insignificant and passing episode. Those concerning reports upon the standings of pupils and the number of failures are clearly the result of measuring things by different standards and of differing estimates of personal and official prerogatives. That in relation to the discipline of pupils is not serious in school administration, and is no graver than may be frequently made against principals who have live boys to manage. The one about not reporting nonresident pupils, which looks bad upon its face, because it would seem to indicate that the principal permitted the city to be defrauded, is shown to refer to a student whose father was a resident and a taxpayer at the time referred to, and who was therefore in the school of right. No wrongful intent or malicious purpose appears anywhere.

But this is not all: The trial was not judicially fair. If any inquiry is unfair it is one in which the tribunal pretends to be governed by legal rules and yet has no real knowledge of them, and so exercises the power to use them, either willfully or ignorantly, in favor of one side and against the other. It can not be expected that a board of education will be familiar with the legal rules governing the taking of evidence, but it is not too much to insist that a board of education shall either show such disposition, even anxiety, to protect the rights of the accused as will lead it to receive and exclude the testimony offered by both sides according to true rules of evidence, or else make no such pretense and get at the facts through whatever both sides can offer. There need be no hesitation in saying that the record plainly discloses that testimony material to the accused was excluded repeatedly when it tended to show that members had prejudged the case or when it would weigh against the preconceived plans of the board. An able young lawyer, favorable to the attitude of the superintendent and the board, was allowed to determine what evidence should be taken, and to badger the principal to counsel's content, while another was kept from analyzing the contents of the superintendent's mind beyond what seemed to the board to be safely consistent with its point of view. It is not said, as the superintendent and board allege of the principal, that the board was intentionally, willfully, and maliciously wrong about this. It was wrong, but it may have become infatuated with theories which impelled its course, and it may have been under political pressure which really forced it to think that the exigencies of the situation demanded it. The matter is given place here for the enlightenment and guidance of other boards in similar or analogous situations, and in eager anticipation of the time when partizanship shall not dare to obtrude upon the management of the schools.

It must be understood that a teacher is entitled to a fair chance for his life, and that a teacher's place is not to be the football of politics, or partizanship in other form. If a teacher to whom the law gives a permanent tenure through good behavior, and declares that he can only be removed for cause, is to be removed, the cause must be a reasonable one and the proceedings leading up to the determination must be so conducted as to establish the cause and yet protect the teacher's rights.

The commissioner of education takes no flabby or indifferent view of the need of organization, of respect for official directions, of obedience to constituted authority. But the organization must rest upon sound fundamental principles,

the directions must square with reason and right, and the authority must be exclusively actuated by the high aims of the educational system and be safely within the law which regulates the schools. When it is so, authority is entitled to honor for any aggressiveness it may show; and when it is not, he who resists it is also entitled to honor.

It is hard for anyone to lose employment. It is still harder for one to lose employment as a teacher at a time of the year which practically makes reemployment impossible for nine or ten months. It comes pretty close to annihilation when a teacher is peremptorily dismissed in the presence of all the people of a considerable city, and with the full knowledge of all teachers in the State and country, from so conspicuous a position as the principalship of the Troy High School, when it is proclaimed that it is done for incompetence, neglect of duty, intentional maladministration, willful misconduct in office, malicious conduct unbecoming a teacher, and all the other things that come to the mind of a keen young corporation counsel assigned the duty of drawing charges and making a case.

The teacher in this case was in a conspicuous and responsible position. He was bound to endeavor to work quietly and harmoniously with all others who had the good of the schools in view, and particularly with those in official authority over him. He was bound to be patient, to carry himself with steadiness and dignity, and even to suffer much in the interest of the common good. But he was a man of character and education. He had had considerable experience in the place he held. He was not an old man, incapable of further progress and yet better accomplishments. The school over which he presided was upon his heart. He was entitled to be treated like a man, to be regarded for the public service he had rendered. He was not a mere hired man; he was entitled to be conferred with about the interests of his school. When the board was honest and sane and deliberate he was bound to act upon their conclusions without cavil, or vacate his place for one who could. If he could not do that, then he was incompetent for such a trust, and if under such circumstances he would not vacate his place, then the board could remove him at a time and in a way which would inflict no more upon him than the circumstances made reasonable and the needs of the school made imperative. An offense against good judgment or disagreements with the board which need not force an open rupture if managed by men of sense, which might be sufficient to warrant a request for his resignation or even a removal from position in the vacation time, might come short of supporting such decisive action at a time when the schools were open and the situation called for toleration and no unnecessary commotion. When the board became possessed of a purpose to oust him in the middle of the school year without substantial cause, he was not bound to acquiesce; the law is against that and it protected him. It was precisely for this purpose that the provisions concerning the tenure of teachers in the uniform charter of cities of the second class was inserted.

The appeal is sustained, and the action of the respondent removing the appellant from the principalship of the Troy High School is declared to be of no effect.

It is ordered that the board of education of the city of Troy forthwith recognize said Martin H. Walrath as principal of the Troy High School, charged with all the responsibilities and authority, and entitled to all of the prerogatives and emoluments of said position the same as he would have been if the action of said board of education taken December 4, 1905, removing him from said position had not been taken.

This decision must be filed with the clerk of the board of education of the city of Troy, and notice thereof be by him given to the appellant and respondent, with opportunity to examine the same.

April 9, 1906.

II. New York.

[Harris *v.* Draper (Supreme Court, New York, special term, Rensselaer County, February, 1908), 109 N. Y. Sup., 983.]

Application of Edwin S. Harris for a writ of prohibition against Andrew S. Draper, as commissioner of education of the State of New York, and Elias P. Mann, individually and as mayor of the city of Troy, to restrain a further prosecution and hearing of an appeal taken by the respondent Mann from a

decision of the board of education of the city of Troy dismissing charges preferred against relator as superintendent of schools of such city. Writ dismissed.

Betts, J. An alternative writ of prohibition has heretofore been granted in this matter restraining the defendant, Andrew S. Draper, as commissioner of education of the State of New York, from hearing a certain appeal taken by Elias P. Mann, individually and as mayor of the city of Troy, from a decision of the board of education of the city of Troy on charges preferred against Edwin S. Harris, the relator, superintendent of schools of said city of Troy, by said Mann, the defendant, which charges were dismissed by the said board of education after a trial thereof. An appeal was taken by said Elias P. Mann from the decision of said board of education to the defendant, Andrew S. Draper, commissioner of education. The question was argued before said commissioner as to whether he had jurisdiction to hear said appeal, and as a result of said argument the said Draper decided that he had jurisdiction to hear and determine the appeal from the decision of said board of education and to review its decision. An application is now made to make this alternative writ of prohibition absolute on the ground that the commissioner of education has no jurisdiction to hear this appeal. Elias P. Mann, individually and as mayor, makes a return objecting to the legal sufficiency of the papers upon which the writ of prohibition herein was granted, and alleging that the said Draper has jurisdiction of the appeal referred to in the petition herein.

Practically all the questions submitted here were decided in People of the State of New York ex rel. Martin H. Walrath, appellant, *v.* Frank E. O'Brien and Others, Acting as Commissioners of Education of and for the City of Troy, respondents (112 App. Div., 97, 97 N. Y. Supp., 1115), except in that case the relator therein conceded (1) that the public schools of Troy were common schools, and (2) that chapter 560, page 1341, of the Laws of 1902, including the city of Troy, is an act pertaining to common schools, which matters are not conceded here by this relator, but are denied. We shall address ourselves then to those two questions.

We find by chapter 66 of the Laws of 1805 an act passed to raise a fund for the encouragement of common schools. Chapter 32 of the Laws of 1807 is an act further to increase the common school fund. In chapter 246 of the Laws of 1811, entitled "An act for the payment of certain officers of government and for other purposes," we find section 54 to be as follows:

"It shall and may be lawful for the person administering the government to appoint five commissioners to report, at the next meeting of the legislature, a system for the organization and establishment of common schools, and the distribution of the interest of the school fund among the common schools in this state."

In the following year (June 19, 1812) chapter 242 of the laws of that year, "An act for the establishment of common schools," was passed, which provided for an officer within this State, to be known as the "superintendent of common schools," and in which act provision was made for the distribution of the school fund to be later acquired. By chapter 192, page 229, of the Laws of 1814, "An act for the better establishment of common schools," which repealed the prior act of 1812, a more elaborate scheme was provided for the establishment of common schools in this State, and provision was made for the general apportionment of moneys for the said common schools. Somewhat similar provision for the organization and support of the common schools has continued under statutory authority ever since, and there has been an officer designated as the "superintendent of public instruction," until the act (chap. 40, p. 94, of the Laws of 1904) was passed which repealed the last act on that subject as to the title of the office, and designated an officer with substantially the same and additional duties as the "commissioner of education," which position is now held by the defendant Draper.

Chapter 131, page 129, of the Laws of 1816 is entitled "An act to incorporate the city of Troy." Commencing with the preamble of section 40 of that act, and including sections 40 to 47, inclusive, provision is made for school and educational matters in said city. Section 42 thereof provides that the school trustees, whose election is provided for in that statute, shall be required to perform the duties of inspectors and trustees under the "act for the better establishment of common schools," subject to such regulations as the common council of said city shall make. Section 43 provided that the moneys which shall arise from the distribution of the school fund shall be appropriated to the support of the city's schools by the commissioners of schools. By chapter 198, page 299,

of the Laws of 1849, the legislature amended the charter of the city of Troy and provided for the establishment of free schools in said city. Section 3 thereof provided, among other things, that the said city in its corporate capacity should be able to hold and dispose of any real or personal estate transferred to it by bequest or devise for the use of the common schools of the said city. Section 8 provided that the common council of the said city might make appointment of commissioners of the common schools. Section 9 provided how any commissioner of common schools might be removed, and section 10 provided that the commissioners of common schools in said city shall constitute a board, to be styled the "board of education of the city of Troy." By subdivision 1 of section 14 it was provided that said board shall have power, and it shall be their duty to establish and organize in the several wards of said city such and so many schools (including the common schools now existing therein) as they shall deem requisite and expedient; and by subdivision 9, "to have in all respects the superintendence, supervision, and management of the common schools" in said city; and by section 22, all moneys received by said city for or on account of the common schools should be deposited with the chamberlain of the said city to the credit of the board of education, to be used by said board of education in accordance with the provisions of that act. By chapter 186, page 359, of the Laws of 1851 (section 6), provision was made for election of further commissioners of common schools in said city of Troy. By chapter 129, page 284, of the Laws of 1872, which was an act to amend the charter of the city of Troy, it was provided, among other things, that the officers of said city should consist of two commissioners of common schools for each ward, and various other officers therein named. Chapter 80, page 120, of the Laws of 1892, was "An act to organize a board of school commissioners in and for the city of Troy and to provide for the government and support of the public schools of said city." It provided for a board of seven school commissioners, to be appointed by the mayor of said city, to take the place of the existing board of school commissioners. Said board was given authority to appoint a superintendent of schools for the city of Troy, and was given the control and management of the several public schools of the city of Troy, and shall possess and exercise all the powers now possessed by the present board of school commissioners in said city, except as in said act provided. Section 11, subdivision 1, provided that said board shall have power, and it shall be their duty, to establish and organize such and so many schools, including the common schools now existing therein, as they shall deem requisite or expedient, and to alter and discontinue the same, by section 7 thereof to pay the wages of school teachers out of moneys appropriated and provided by law for the support of schools in said city as far as the same shall be sufficient, and by section 12 to make and transmit to the state superintendent of public instruction a report in writing annually.

Article 9, section 1, of the constitution of the State of New York, adopted in 1894, provides as follows:

"Common Schools—Section 1. The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this State may be educated."

Chapter 182, page 371, of the Laws of 1898, was "An act for the government of cities of the second class," commonly known as the "white charter." Troy is a city of the second class. Section 240 of that act, and subsequent sections, were amended by chapter 560, page 1341, of the Laws of 1902, which is entitled "An act to amend chapter 182 of the Laws of 1898 relative to the department of public instruction in cities of the second class." Section 240 thereof provides for a board of education, composed of three members, to be called "commissioners of education," which is the board of education now had in the city of Troy, and provides said board shall be the head of the department of public instruction in said cities. Section 242 thereof is as follows:

"The board has all the powers and is charged with all the duties of commissioners of common schools, and of trustees of the several school districts in this State, under the general statutes relating to common schools, so far as such powers and duties can be made applicable to the schools herein provided for, and are not inconsistent with the provisions of this act."

Section 243, which is the section under which relator, Harris, holds his office, is as follows:

"The superintendent of schools shall hold office during the pleasure of the board. Any person may prefer charges of incompetency, maladministration, or

misconduct against the superintendent, and thereupon the board shall proceed to hear the charges, and in case the same shall be sustained by the affirmative vote of a majority thereof the superintendent shall be dismissed from his office."

I think, from this brief examination of the legislation relating to the schools of this State and the city of Troy, it must be fairly apparent that the schools of said city are common schools, part of the common school system of this State. It must also follow, from an examination of said legislation, that chapter 560, page 1341, of the Laws of 1902, is an act pertaining to common schools. The title indicates it, and all the sections refer to matters pertaining to the common schools of the cities of the second class in this State. This supplies what was not determined by the appellate divison in People ex rel. Walrath *v.* O'Brien, hereinbefore referred to. It seems to me clear that the legislature intended the jurisdiction of the commissioner of education to apply to the common schools of the cities of the second class, including Troy. Hence the appeal herein is governed by subdivision 7, section 1, title 14, chapter 556, page 1181, of the Laws of 1894, as amended by chapter 40, page 94, of the Laws of 1904, which confers upon the commissioner of education the powers and duties of superintendent of public instruction heretofore exercised by the said superintendent, including the power to determine appeals of this kind.

The point is made by the relator that the defendant, Mann, is not a person aggrieved within the statute. The statute is:

"Any person conceiving himself aggrieved in consequence of any decision made * * * may appeal."

The commissioner being given jurisdiction of the subject-matter of the appeal, the burden is on the defendant, Mann, to show before the commissioner that he is aggrieved by the decision of the board of education.

The same reasoning applies to the further point made, that under a strict reading of the statute applied to the circumstances of this case the commissioner of education might attempt to decide this appeal without notifying the relator, Harris, that it was pending. It will be time enough to provide for a contingency of that kind if it should ever arise.

It follows, therefore, that the writ of prohibition herein should be dismissed; and an order may be entered vacating or quashing it.

STATUS OF EVENING HIGH SCHOOLS.

III. California.

[Board of Education of the City and County of San Francisco *v.* Hyatt (Supreme Court of California, December 6, 1907), 93 P., 117.]

In bank. Application by the board of education of the city and county of San Francisco for a writ of mandamus against Edward Hyatt, as superintendent of public instruction. Petition dismissed.

Sloss, J. Upon an application to this court by the board of education of the city and county of San Francisco for a writ of mandate to compel the state superintendent of public instruction to include the Humboldt evening high school in said city and county among the schools participating in the apportionment of the state high school fund, an alternative writ issued. The respondent appeared, and, after filing a demurrer and an answer, entered into a stipulation with the petitioner, agreeing upon the essential facts. By section 1 of the act entitled "An act creating a fund for the benefit and support of high schools and providing for its distribution," etc., approved March 6, 1905 (Stat. 1905, p. 58, chap. 65), provision is made for the annual levy of a tax for the support of regularly established high schools of the State. The money so collected is to be turned into a "state high-school fund," created by the act and is appropriated for the use and support of regularly established state high schools. Sections 3, 4. Section 5 of the act directs the superintendent of public instruction to apportion the fund to high schools of the State upon this basis: One-third of the annual amount equally among the county, district, city, union, or joint union high schools of the State, irrespective of the number of pupils enrolled

or in average daily attendance therein, and the remaining two-thirds pro rata according to the average daily attendance for the last preceding school year, "provided that such high schools have been organized under the law of the State, or have been recognized as existing under the high-school laws of the State and have maintained the grade of instruction required by law for the high schools; and provided that no school shall be eligible to a share in said state high-school fund that has not during the last preceding school year employed at least two regularly certificated high-school teachers for a period of not less than one hundred and eighty days with not less than twenty pupils in average daily attendance for such length of time * * *; and provided that before receiving state aid, each school shall furnish satisfactory evidence to the superintendent of public instruction of the possession of a reasonably good equipment of building, laboratory, and library and of having maintained, the preceding school year, proper high-school instruction for a term of at least one hundred and eighty days * * *." It appears from the stipulation above referred to that the Humboldt evening high school was established and organized by the board of education of the city and county of San Francisco in October, 1897, at a time when said city and county was governed by the provisions of the consolidation act and the amendments thereto. In the establishment and organization of said school no election, as provided by sections 1670 and 1671 of the Political Code, was held. The sessions of said school are held in the evening only, and continue during two hours of each of five evenings per week.

The respondent contends, in the first place, that under the constitution of this State no high school holding evening sessions only can be established. This contention is based upon section 6 of article 9 of the constitution, providing that "the public-school system shall include primary and grammar schools, and such high schools, evening schools, normal schools, and technical schools as may be established by the legislature, or by municipal or district authority." The argument is that the constitution, by enumerating the various classes of schools and making evening schools a distinct class in this enumeration, distinguished such evening schools from all other classes enumerated, and that an evening school could not therefore at the same time be a high school, since high schools form a class separately provided for in the section. But this argument proves too much. It would lead equally well to the conclusion that an evening school could not be either a primary, a grammar, a normal, or a technical school, a conclusion which seems on its face to be untenable. We are satisfied that the framers of the constitution, in including in this section the words "evening schools," intended to obviate any doubt that might exist as to the power to provide for schools which should hold their sessions in the evening, and that it was not intended thereby to make a separate class of such schools in the sense that evening schools could not, as to the nature of the course of study pursued, possess the character of primary, grammar, high, normal, or technical schools.

Further, it is objected that the Humboldt evening high school was not organized pursuant to an election held under the provisions of section 1670 of the Political Code. By section 5 of the act of March 6, 1905, the benefits of the "state high-school fund" are limited to high schools that "have been organized under the laws of the State, or have been recognized as existing under the high-school law of the State." By this provision the act furnishes its own definition of the phrase "regularly established high schools of the State," used in the earlier sections, and impresses the character of regularly established high schools upon schools which comply with either of the last quoted requirements of section 5. As appears from the stipulation, the Humboldt evening high school was established by the board of education of the city and county of San Francisco in October, 1897. Section 1616 of the Political Code reads: "Boards of education are elected in cities under the provisions of the laws governing such cities, and their powers and duties are as prescribed in such laws, except as otherwise in this chapter provided." Under section 1 of an act entitled "An act to provide for the support of the common schools of the city and county of San Francisco and to define the powers and duties of the board of education thereof," approved April 1, 1872 (Stat. 1871–72, p. 846, chap. 576), the board of education of the city and county of San Francisco is given power "to maintain public schools as now organized in said city and county, and to establish additional ones as required, and to consolidate and discontinue schools, as may be deemed best for the public interest." That high schools may properly be included within the term "public schools" will hardly be questioned. Indeed, article 9, section 6, of the present constitution, quoted above, expressly makes

them a part of the "public-school system." This statute, therefore, in conferring upon the board of education of the city and county of San Francisco power to establish public schools, gave to it the power to establish high schools. The act, having been passed before the adoption of the constitution of 1879, was not affected by the restrictions contained in that instrument prohibiting the passing of local or special laws. (Nevada School Dist. *v.* Shoecraft, 88 Cal., 372, 26 Pac., 211.) It would appear clear, therefore, that the Humboldt evening high school is a school that has "been organized under the law of the State." But, if there were any doubt as to the legality of the original organization of the school, two curative acts passed after its esablishment, had the effect of obviating any defects existing at the outset, or, at least, of making it a school "recognized as existing under the high-school laws of the State." An act of March 15, 1901 (Stat. 1901, p. 299, chap. 140), provides that "all proceedings for the establishment of high schools heretofore established in incorporated cities are hereby declared legal;" and in 1905 the legislature amended section 1671 of the Political Code, including in said section a subdivision 11, providing that "all proceedings for the formation and organization of high-school districts and the establishment of county, city and county, union, joint union, and district high schools had prior to the passage and approval of this act are hereby validated and declared legal, and said high-school districts and high schools are hereby declared to be legally formed, organized, and established." It is well settled that the legislature has power to pass acts curing the failure to comply with statutory requirements that might originally have been dispensed with in the proceedings of municipal corporations. (6 Am. and Eng. Ency. of Law (2d Ed.), 941.) In the recent case of Chase *v.* Trout, 146 Cal., 350, 80 Pac., 81, this court fully expressed its views regarding the validity of curative acts. The statute there in question undertook to validate defective proceedings for the collection of taxes, but the principle declared is no less applicable to proceedings of the kind here involved. (See, also, Baird *v.* Monroe (Cal. Sup.), 89 Pac., 352.) If this school was in all other respects entitled to participate as a high school in the apportionment, these curative acts were clearly sufficient to bring it within the statutory definition of a "regularly established high school."

The further objection is made on behalf of respondent that the shortness of the daily session held in the school in question, i. e., two hours per day, takes the school out of the class of high schools contemplated by the law. While it appears that this session is considerably shorter than that regularly held in day high schools, we find no provision of law regulating the length of the daily sessions, with the exception of section 1673 of the Political Code, which provides that "no school must be continued in session more than six hours per day." No statute provides a minimum duration, and if the school complies with all the requirements of law, the fact that its sessions are of shorter duration than those of other high schools does not deprive it of the character of a regularly established high school or prevent it from participating in the benefits conferred upon regularly established high schools by the act of March 6, 1905. But while the facts already set forth do not, in our opinion, tend to show that the school in question is not a "regularly established high school of the State," and do not, therefore, furnish any reason for excluding it from the apportionment, we think that the stipulation of facts fails to show that the Humboldt evening high school, considered as a high school, complied with the provisions of section 5 of the act of March 6, 1905, as to employment of teachers and average daily attendance. It might be said that the answer, tested by strict rules of pleading, does not raise a clear issue on this point. It may, however, without straining the meaning of words, be construed as raising such issue, and inasmuch as this is a controversy between public officers, each of whom is doubtless desirous of ascertaining and performing his exact duty under the law, we are not disposed to allow any technical construction of the pleadings to prevent the consideration of a question whose determination is necessary to a proper understanding of the rights and obligations arising under the statute in question. The petition alleges, and it is not denied, that during the school year 1905–6 the Humboldt school employed 26 teachers for not less than one hundred and eighty days, and that the average daily attendance was 546 pupils. It appears that graduates of grammar schools have been admitted to said school without examination. (Political Code, sec. 1670, subdivision 13.) A course of instruction, extending over three years, and leading to a high school diploma, is given, but there is no suggestion that this course is such as to prepare graduates for admission to the State University. During the year 1905–6 the school had

a course of study known as "Course B," which extended for a period of five years, and which was adopted by the petitioner to comply with the admission requirements of the University of California. As we have seen, the act of March 6, 1905, limits the distribution of its benefits to schools which have maintained the grade of instruction required by law for the high schools. That grade of instruction, as declared by subdivision 12 of section 1670 of the Political Code, is "such as will prepare graduates therein for admission into the State University." If a school offers two courses, one of which falls short of this standard, it does not, as to such course, maintain the grade of instruction required by law of high schools. Accordingly, in the case at bar, the Humboldt evening high school is to be considered a high school only so far as concerns the instruction given and received in "Course B." But the stipulation does not disclose that it has the requisite number of teachers and pupils in this course. It is true that the parties agree that the school, as a whole, has 26 teachers and 546 pupils, but it nowhere appears how many of these teachers or pupils are engaged in high school work and how many are occupied in the three-year course, which is not up to the high school standard. Unless that part of the school which can properly be regarded as a high school has two or more regularly certificated high school teachers and 20 or more pupils in average daily attendance, no right to apportionment under the statute arises. Here these conditions are not shown to exist. That in determining the right of a school to share in the benefits of this act, only those teachers and pupils engaged in high school work can be considered, is made manifest by the manner of the apportionment. Two-thirds of the fund is to go to schools in proportion to the number of pupils in attendance. This must mean the number of pupils who are receiving the grade of instruction required by law. It can not have been intended to distribute a high school fund to schools maintaining a certain grade of instruction and to base this distribution on the number of pupils to whom a lower grade of instruction is being given.

For these reasons we conclude that the petitioner has on the record before us failed to show any right in the Humboldt evening high school to participate in the allotment of the high school fund. If, however, it shall furnish to the respondent satisfactory evidence of compliance with the requirements of section 5 of the act of March 6, 1905, having regard solely to the teachers and pupils engaged and the equipment employed in "Course B" or any other course preparing pupils for admission to the State University, it will then be entitled to an allotment of the state fund, based, as to two-thirds of the fund, on the average daily attendance in such course or courses.

We may add that we attach no importance to the fact that "Course B" extends over five years. The only provision of law regulating the length of the course is that it "shall embrace a period of not less than three years." (Political Code, sec. 1670, subdivision 12.) That it may extend over a longer period than three years is clearly shown by subdivision 13 of section 1670, which contains a provision relating to schools "where the course of study embraces a period of four years."

The proceeding is dismissed.

We concur:

ANGELLOTTI, J.

HENSHAW, J.

LORIGAN, J.

MCFARLAND, J.

SHAW, J. I concur. I agree that the mere fact that the daily sessions of the Humboldt evening high school are of but two hours' duration does not deprive it of its character as a high school organized under the law of the State, or as a high school recognized as existing under the high school laws of the State. But I suggest that, in view of the practically universal custom of holding sessions of the public schools at least five hours each school day, and the manifest inequality and lack of uniformity in the law if it is held to give the same amount for its support to a school in session only two hours daily as is given to one in session three times as long and during each year imparting presumably three times as much training and instruction at three times the expense, it may be a serious question, if it ever arises, whether the "average daily attendance" for the "term of at least one hundred and eighty days" required of high schools to entitle them to receive state aid, under the statute, does not mean a daily attendance for one hundred and eighty days of, at least substantially, the same number of hours as is usual and customary. If the aid can be

secured by two hours' daily instruction for one hundred and eighty days—that is, by three hundred and sixty hours each year—instead of the customary nine hundred hours each year, why not by means of daily sessions for that period of one hour or less?

STATUS OF KINDERGARTENS.

IV. California.

[Los Angeles County *v.* Kirk, superintendent of public instruction (Supreme Court of California, December 27, 1905), 83 P., 250.]

In bank. Application by the county of Los Angeles for a writ of mandate, prayed to be directed against Thomas J. Kirk, superintendent of public instruction. Denied.

ANGELLOTTI, J. This is an application for a writ of mandate compelling the superintendent of public instruction of the State, in making his apportionment of the state school fund to the various counties, to include and consider, as a part of the average daily attendance of the schools of plaintiff, the attendance of children between the ages of 4 and 5 years who have been regularly admitted to the kindergarten classes established by the educational authorities of certain cities of plaintiff county. It appears from the petition that defendant proposes to include the attendance of such classes of children between 5 and 6 years of age, but, in view of his conclusion as to the effect of certain provisions of our codes, has determined that children between the ages of 4 and 5 years should not be included. We do not deem it necessary to consider the argument relative to this position of the defendant, for we have concluded that the point made by the attorney-general upon the argument, to the effect that under our law the attendance upon kindergarten classes can not be considered as a part of the attendance for purposes of apportionment of the state school fund, is well made. The rule laid down by the legislature for the guidance of the superintendent of public instruction in the apportionment of the state school fund is to be found in section 1532 of the Political Code, as amended March 18, 1905. It is there declared as follows, viz: "It is the duty of the superintendent of public instruction * * * Fourth. To apportion the state school fund * * * ; in apportioning said fund he shall apportion to every county and to every city and county two hundred fifty dollars ($250) for every teacher determined and assigned to it on school census by the county or city and county school superintendent for the next preceding school year, as required; * * * and after thus apportioning two hundred fifty dollars on teacher or census basis, he shall apportion the balance of the state school fund to the several counties or cities and counties according to their average daily attendance as shown by the reports of the county or city and county school superintendents for the next preceding school year."

The question presented, it will thus be seen, is as to the meaning of the words "average daily attendance," as used in this section. It is admitted that in view of the provision of section 6 of article 9 of our constitution, declaring that "the entire revenue derived from the state school fund and from the general state school tax shall be applied exclusively to the support of primary and grammar schools," the corresponding provisions of sections 1622 and 1861, Political Code, and the decision of this court in Stockton School District *v.* Wright, 134 Cal., 64; 66 Pac., 34, only the attendance upon the primary and grammar schools is included within the words "average daily attendance," as used in this section. It was clearly shown in the case cited, where a similar provision regarding apportionment of state school moneys was construed, that it could never have been intended to include attendance upon other schools, such as high schools or evening schools, for the maintenance of which no part of the state school money could, under the law, be used. Plaintiff's case must therefore rest upon its claim that the kindergarten classes are, under the law, part and parcel of the primary schools of the State, that state school money may be appropriated to their maintenance, and that attendance thereon is attendance upon "primary schools" within the meaning of that term as used in the constitutional provisions quoted above. This is, in fact, the claim upon which plaintiff rests its case. The nature and object of kindergarten

classes were quite fully discussed in the case of Sinnott *v.* Colombet, 107 Cal., 187; 40 Pac., 329; 28 L. R. A., 594. It was there shown that the term "kindergarten" was devised to apply to a system elaborated for the instruction of children of very tender years, which, by guiding their inclination to play into organized movement and investing their games with an ethical and educational value, teaches, besides physical exercises, habits of discipline, self-control, harmonious action and purpose, together with some definite lesson of fact. It is apparent that the work contemplated by such a system is purely preliminary to, and entirely different in character from, the ordinary work of the common school, and is, in fact, designed to fit very young children, whose minds and bodies are, solely because of their tender age, not yet capable of the instruction contemplated in an ordinary school for such school work.

It may be conceded that the work contemplated is of such a character that it might, to some extent, be included by the legislature in the general primary school system of the State, just as it may be conceded that the legislature may extend the general grammar school course so as to include some subjects that have hitherto been pursued only in the more advanced schools, such as high schools. But the statutory provisions upon the subject of the kindergarten make it clear that the legislature has not made the same a part of the "system of common schools, by which a free school shall be kept up and supported in each district at least six months in every year," which, by section 5 of article 9 of the constitution, the legislature is required to provide, but, at most, has made it only a part of the "public school system" described in section 6 of the same article, in the same way that high schools, evening schools, normal schools, and technical schools established directly by the legislature or by municipal or district authority are parts of such public school system. The two constitutional provisions cited, taken together, contemplate (1) the establishment of a uniform system of "common schools," including solely the primary and grammar schools, which shall be applicable and mandatory in every school district of the State, as to which all local or special laws are expressly forbidden (constitution, subd. 27, sec. 25, art. 4), and to the support of which the entire revenue derived from the state school fund and the general state school tax shall be exclusively applied; and (2) the establishment, either by the legislature or by municipal or district authority, under statutes authorizing the same, of other schools, such as high and technical schools, which, however, can in no degree be supported from the state school fund, but must obtain their whole support from other sources. The intention of the framers of the constitution to devote the whole of the revenue of the state school fund and the general state school tax exclusively to the support of the schools included in the first class mentioned above, viz, those which are known as "common schools" and which by the constitution are required to be maintained in every district of the State, is too clear to admit of question.

Coming to a consideration of the only existing statutory provisions relative to kindergarten schools, we find the following, viz, section 1663, Political Code, provides that "the public schools of California, other than those supported exclusively by the State, shall be classed as high schools, technical schools, and grammar and primary schools [including kindergarten classes], and no teacher shall be employed to teach in any school if the certificate held by the teacher is of a grade below that of the school or class to be taught: * * * *Provided*, That nothing herein contained shall be construed as prohibiting the employment of any person holding a valid special certificate for kindergarten work heretofore granted * * * as a teacher in any kindergarten class of a primary school * * *." Section 1662, Political Code, provides that "every school, unless otherwise provided by law, must be open for the admission of all children between 6 and 21 years of age residing in the district: * * * *Provided*, That in cities and towns in which the kindergarten has been adopted or may hereafter be adopted as part of the public primary schools, children may be admitted to such kindergarten classes at the age of 4 years." * * * Section 1617, Political Code, provides that "the powers and duties of trustees of school districts and of boards of education in cities are as follows: * * * Ninth. To exclude from schools children under 6 years of age: *Provided*, That in cities and towns in which the kindergarten has been adopted, or may hereafter be adopted, as a part of the public primary schools, children may be admitted to such kindergarten classes at the age of 4 years."

These are the only provisions relative to the kindergarten that are to be found in our statutes. They show at most an intention on the part of the

legislature to authorize the maintenance by any district, at its option, of kindergarten classes for the doing of a special work preliminary to the beginning of what is generally designated as primary school work. The fact that it is entirely optional with any district to do or not to do this preliminary special work is alone sufficient to exclude kindergarten classes from the uniform and mandatory system of common schools called for by section 5 of article 9 of the constitution; and, consequently, from the term "primary and grammar schools," as those words are used in section 6 of the same article, in relation to the use which may be made of the general state school funds, and relegate them to that portion of the "public school system" which includes schools constituted by municipal or district authority and maintained from other sources. In view of this fact, the fact that the legislature may have declared that when the kindergarten is adopted by any district it shall be a part of the public primary schools, is unavailing, so far as the question under consideration is concerned. Such a declaration might make it a part of the public school system, maintainable from other sources than the state fund, but could not operate to bring it within the uniform and mandatory system of common schools applicable in every district, and to the support of which the general state funds must be exclusively applied, any more than could a declaration in regard to a technical or high school established by a district, to the effect that the same, if established, shall be a part of the public grammar schools, make such school a part of such system. It must be borne in mind that we are not in any way questioning the power of the legislature to add to or take from the course of study to be pursued in the "common schools" of the State, but are simply discussing the status of a system useful only for the training of children who have not attained the ordinary school age, which it is left optional with a district to adopt or not to adopt, in its relation to the "common schools" of the State, to which alone any portion of the general state fund may be devoted, and our conclusion is that it is no more a part of such common schools than is the high or technical school. Under these circumstances the case of Stockton School District *v.* Wright, supra, is conclusive against plaintiff's claim.

We have no disposition to question the correctness of the decision in Sinnott *v.* Colombet, supra. That case involved the question as to the right of a teacher holding a special certificate for kindergarten work to be paid for her services in teaching kindergarten classes from the "grammar and primary school fund" of the city of San Jose, which fund consisted of money levied and collected by said city for school purposes within its limits other than for the maintenance of high schools. The kindergarten system had been adopted by the city board of education as a special study to be taught in the public schools of said city. There was no question in that case as to whether the kindergarten so adopted had become a part of the "common school system" of the State, for the support of which general state school money could be used, and that question was in no way discussed. The decision, in effect, goes simply this far—that when a city has adopted this special system, the kindergarten becomes a part of the primary schools of such city, to the extent that it may legally be maintained at the expense of the city, just as a high or technical school may be so maintained, and does not compel a conclusion that the adoption by a district of this special system makes it a part of the "common schools" of the State, or a part of the "primary schools" of the State, within the meaning of those words as used in the constitution. To construe the decision as warranting any such conclusion would, in our judgment, make it clearly opposed to the plain intent of the constitution. We are inclined to the opinion that the language of section 6 of article 9 of the constitution is broad enough to authorize provision by the legislature for the establishment by districts, at their option, of kindergarten schools, as a part of the public school system of the State, supported from other sources than general state school money. At any rate, there is therein no express prohibition of any such provision, and the case of Sinnott *v.* Colombet, supra, is authority for the proposition that this may be done.

The conclusion we have reached probably avoids all constitutional objections that may be successfully made to the legislation relative to the kindergarten. Construed in this way, such legislation does not conflict with the requirements of the constitution for a uniform system of common schools in every district of the State, for which alone the general state school money shall be used. This construction, we think, also overcomes the objection that if the kindergarten law is applicable only to "cities and towns," it is violative

of other provisions of the constitution relative to local or special laws. Regarding the kindergartens as a special mode of education, to be adopted and maintained at their own expense by such communities as desire them, there appear to be natural and intrinsic reasons which would warrant legislation making provision for their establishment in cities and towns, for we can not conceive that there could be any demand for or any possibility of the successful practical working of such a system outside of the centers of population, such as cities and towns, where there are a sufficient number of children of kindergarten age near enough to the school to avail themselves of the privilege thereof.

The alternative writ of mandate heretofore issued is discharged and the application for a peremptory writ is denied.

We concur:

McFarland, J.
Van Dyke, J.
Henshaw, J.
Lorigan, J.
Beatty, J.

Shaw, J., deeming himself disqualified, does not participate in the foregoing.

SECTARIAN INSTRUCTION—BIBLE READING.

V. New York.

[O'Connor *v.* Hendrick, school trustee, et al. (Court of Appeals of New York, April 17, 1906), 77 N. E., 612.]

Appeal from supreme court, appellate division, fourth department.

Action by Nora O'Connor against Patrick Hendrick, trustee of school district No. 9, town of Lima, and others. From a judgment of the appellate division (96 N. Y. Supp., 161, 109 App. Div., 361), affirming the judgment in favor of defendants, plaintiff appeals. Affirmed.

The plaintiff and Elizabeth E. Dowd, being teachers duly licensed to teach in the common schools of this State, entered into contracts with the board of trustees of school district No. 9, in the town of Lima, county of Livingston, in the autumn of 1902, to teach in the public school of said district for a term of thirty-six consecutive weeks at a specified rate of compensation. While so engaged in teaching they wore the distinctive dress or costume of a religious society connected with the Roman Catholic Church, of which they were members, which society is known as the "Order of the Sisterhood of St. Joseph." On May 28, 1903, the state superintendent of public instruction promulgated a decision made by him upon an appeal under the consolidated school law (Laws 1894, p. 1278, chap. 556, title 14), in which he declared that the wearing of an unusual dress or garb, worn exclusively by members of one religious denomination for the purpose of indicating membership in that denomination, by the teachers in the public schools during school hours while teaching therein, constitutes a sectarian influence and the teaching of a denominational tenet or doctrine, which ought not to be persisted in. The decision further declared it to be the duty of the school authorities to require such teachers to discontinue the wearing of such dress or garb while in the public school room and in the performance of their duties as teachers therein, and it directed Patrick Hendrick, one of the defendants herein, as sole trustee of school district No. 9, in the town of Lima, Livingston County, to notify the plaintiff and Elizabeth E. Dowd forthwith to discontinue, during the school hours of each school day, the wearing of the distinctive dress of the sisterhood to which they belonged, and commanded him to dismiss them if they refused to comply with this requirement. On May 29, 1903, the said Patrick Hendrick notified the plaintiff and Elizabeth E. Dowd of the contents of the decision. Notwithstanding this notification they continued to teach school wearing the prohibited garb up to June 19, 1903, which was the end of the school year. Mr. Hendrick, the school trustee, does not appear to have made any effort to remove or dismiss them. The present action was brought against him by the plaintiff, in her own behalf and as assignee of

the claim of Elizabeth E. Dowd, to recover a balance of $79.20 alleged to be due under their contracts with the school district. Mr. Hendrick defended on the ground that the plaintiff and her assignor had lost all right to recover anything under their contracts by reason of the fact that they had continued to wear the distinctive costume of the religious sisterhood to which they belonged, while engaged in teaching, after they had received notice of the aforesaid decision of the state superintendent of public instruction. The other defendants, who were taxpayers allowed to intervene at their own instance, also interposed an answer setting up a similar defense. The case was tried by consent without a jury before a justice of the supreme court, who held that the plaintiff was entitled to recover $25.20, being the amount of the compensation of the two teachers which had been earned, but not paid, prior to the time when they were notified of the superintendent's decision. He held, however, that the plaintiff and her assignor were not entitled to recover for any services rendered during the three weeks in which they continued to teach after the decision of the superintendent had been brought to their attention. From the judgment rendered at the trial term the plaintiff appealed to the appellate division, where that judgment has been affirmed by a divided court.

Willard Bartlett, J. (after stating the facts). The real question in this case is whether the plaintiff and the plaintiff's assignor lost their right to any further compensation under their contract of service as teachers by reason of their refusal to comply with a regulation established by the state superintendent of public instruction, which in effect prohibited teachers from wearing a distinctive religious garb while engaged in the work of teaching. The order made by the superintendent on the subject was in form the decision of an appeal. The consolidated school law as then in force provided for certain appeals to the state superintendent of public instruction by any person conceiving himself aggrieved in consequence of any decision made by various officers, including a decision by the trustees of any district in paying any teacher. (Laws, 1894, p. 1278, chap. 556, title 14, sec. 1.) One Alfred K. Bates prosecuted an appeal under the statute to review the action of Patrick Hendrick as school trustee of school district No. 9, in the town of Lima, in employing the plaintiff and Elizabeth E. Dowd as teachers, and allowing them to teach while wearing the distinctive dress of the Roman Catholic religious order known as the "Sisterhood of St. Joseph," and it was upon this appeal that the superintendent promulgated the order prohibiting teachers from wearing the costume in question while engaged in the actual work of teaching. Neither the plaintiff nor Elizabeth E. Dowd was a party to the proceedings thus brought before the superintendent, nor does it appear that they had any knowledge of it while it was pending. It is plain, therefore, that it could have had no effect upon their rights considered as a judicial decision or prior adjudication. It seems to me, however, that it may be and should be viewed in another light, and, if thus regarded, that it constituted a rule of conduct which the plaintiff and her fellow-teacher were bound to obey. Although a decision in form, it was in fact a regulation in regard to the management of the common schools which the superintendent had the right to establish, provided, only, that it was reasonable in its character and not in conflict with the laws of the state or public policy.

While it is true that there is no express grant of authority to the state superintendent of public instruction (now the commissioner of education under unification act, Laws 1904, p. 94, chap. 40) in the consolidated school law to establish regulations as to the management of the common schools, the existence of a general power of supervision on his part over such schools is clearly implied in many parts of the statute. Among other things he was required, so far as he could consistently with his other duties, to visit such of the common schools as he saw fit, and inquire into their course of instruction, management, and discipline, and advise and encourage the pupils, teachers, and officers thereof. (Consolidated school law, Laws 1894, p. 1185, chap. 556, title 1, sec. 8.) The statute further prescribed that he should submit to the legislature an annual report containing, among other things, "a statement of the condition of the common schools of the State, and of all other schools and institutions under his supervision, and subject to his visitation as superintendent." (Laws, 1894, p. 1185, chap. 556, title 1, sec. 9, subd. 1.) It also gave him the power to remove any school commissioner or other school officer whenever it should be proved to his satisfaction that any such school commissioner had been guilty of any willful violation or neglect of duty under the statute or of "willfully disobeying any decision, order, or regulation" of the superintendent. (Title 1, sec. 13.)

The authority to remove an officer for the willful disobedience of a regulation of the superintendent necessarily implies a power on the part of the superintendent to make regulations; and, as has already been suggested, if the superintendent possessed the power to establish regulations in regard to the management of the common schools, the courts will not pronounce such regulations invalid unless they are unlawful or unreasonable. In arriving at a determination as to its validity a regulation in reference to the management of the common schools established by an officer under statutory authority is to be tested by rules similar to those which would apply in the case of a municipal ordinance, as to which the rule is that "ordinances passed in virtue of the implied power must be reasonable, consonant with the general powers and purposes of the corporation, and not inconsistent with the laws or policy of the State." (I Dillon's Municipal Corporations (4th Ed.), section 319.) The rule which seems to be applicable here was enunciated and applied by the supreme court of Illinois in the case of Rulison *v.* Post (79 Ill., 567), where the statutory duties of school directors were under consideration, and it was said: "In the performance of their duty in carrying the law into effect, the directors may prescribe proper rules and regulations for the government of the schools of their district, and enforce them. They may, no doubt, classify the scholars, regulate their studies and their deportment, the hours to be taught, besides the performance of other duties necessary to promote the success and secure the well-being of such schools. But all such rules and regulations must be reasonable, and calculated to promote the objects of the law—the conferring of such an education upon all, free of charge." Another case involving a similar question is Trustees of Schools *v.* People (87 Ill., 303, 29 Am. Rep., 55), where it was held that a regulation by school trustees excluding a pupil from a high school because his father did not wish him to study grammar therein was arbitrary and unreasonable and could not be enforced.

We are thus brought to the question whether in this State a regulation is to be deemed unreasonable which prohibits teachers in the common schools from wearing a distinctively religious garb while engaged in the work of teaching. In my opinion it can not justly be so regarded. "Neither the State," says the constitution, "nor any subdivision thereof, shall use its property or credit or any public money, or authorize or permit either to be used, directly or indirectly, in aid or maintenance, other than for examination or inspection, of any school or institution of learning wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught." (Constitution, art. 9, sec. 4.) Here we have the plainest possible declaration of the public policy of the State as opposed to the prevalence of sectarian influences in the public schools. The regulation established by the state superintendent of public instruction through the agency of his order in the Bates appeal is in accord with the public policy thus evidenced by the fundamental law. There can be little doubt that the effect of the costume worn by these Sisters of St. Joseph at all times in the presence of their pupils would be to inspire respect, if not sympathy, for the religious denomination to which they so manifestly belong. To this extent the influence was sectarian, even if it did not amount to the teaching of denominational doctrine. A different view was taken by the supreme court of Pennsylvania in the case of Hysong *v.* School District (164 Pa., 629, 654; 30 Atl. 482; 26 L. R. A., 203; 44 Am. St. Rep., 632), where it was held that school districts might employ as teachers sisters of a religious order of the Roman Catholic Church, and permit them while teaching to wear the garb of their order, provided no religious sectarian instruction should be given, nor any religious sectarian exercises engaged in. There was a dissenting opinion in that case, however, strongly reasoned in support of the conclusion that a school conducted similarly to that in the case at bar was in effect dominated by sectarian influence. The teachers, said Mr. Justice Williams in this dissenting opinion, "come into the schools, not as common-school teachers or as civilians, but as the representatives of a particular order in a particular church, whose lives have been dedicated to religious work under the direction of that church. Now, the point of the objection is not that their religion disqualified them. It does not. Nor is it thought that church membership disqualifies them. It does not. It is not that holding an ecclesiastical office or position disqualifies, for it does not. It is the introduction into the schools as teachers of persons who are by their striking and distinctive ecclesiastical robes necessarily and constantly asserting their membership in a particular church, and in a religious order within that church, and the subjection of their lives to the direction and control of its officers."

As to the reasonableness of the regulation prohibiting the use of a distinctive religious garb by teachers in the common schools, some other considerations may be mentioned. It must be conceded that some control over the habiliments of teachers is essential to the proper conduct of such schools. Thus grotesque vagaries in costume could not be permitted without being destructive of good order and discipline. So, also, it would be manifestly proper to prohibit the wearing of badges calculated on particular occasions to constitute cause of offense to a considerable number of pupils, as, for example, the display of orange ribbons in a public school in a Roman Catholic community on July 12. It is suggested in the brief of the learned counsel for the appellant that if the state superintendent could order these teachers to refrain from wearing their distinctive religious costumes he could just as lawfully direct them to don a dress of any other pattern, or compel a teacher to remove a gown because it was too plain or too gay, or that he might order the principal to cut off his beard or color his mustache. The obvious answer to these suggestions and others of a similar character is that no regulation would be valid which was manifestly unreasonable, because it would then be unauthorized by law.

The views which have already been expressed substantially dispose of all the points argued in behalf of the appellant, as well as those suggested in the dissenting opinion below, except the proposition that the state superintendent had no right to annul a valid contract between a teacher and the school district by which she was employed. The proposition is correct, but it has no application in the present case, because a contract between the trustees and the teacher of a common school is, by implication, subject to the power of the superintendent to make reasonable regulations as to the management of the school. This being the case, the superintendent does not annul a valid contract by insisting that such reasonable regulations shall be observed, for by entering into the contract the teacher assumes the implied obligation to obey such regulations.

It follows that the judgment appealed from should be affirmed with costs. In reaching this result, however, I do not wish to be understood as acquiescing in that part of the opinion below in which it is asserted that "these sisters should never be permitted to teach in our public schools." There is no reason either in morals or in law why they or any other qualified persons should not be allowed thus to teach, whatever may be their religious convictions, provided that they do not by their acts as teacher promote any denominational doctrine or tenet.

VI. Texas.

[Church *v.* Bullock et al. (Supreme Court of Texas, April 8, 1908), 109 S. W., 115.]

Error to court of civil appeals of fifth supreme judicial district.

Mandamus by E. H. Church and others against W. L. Bullock and others, board of trustees of an independent school district, to command the trustees to desist from conducting certain exercises in the schools. There was a judgment of the court of civil appeals (100 S. W., 1025) affirming a judgment for defendants, and plaintiffs bring error. Affirmed.

Brown, J., we adopt the following statement of the case and the conclusions of fact made by the honorable court of civil appeals:

"This is an action for mandamus brought in the district court by appellees against the board of trustees of the public school of the city of Corsicana, appellees commanding said trustees to desist from conducting certain exercises in said school which are alleged to be religious and sectarian. Defendants answered by general denial and specially, in substance, that said exercises were neither religious nor sectarian in the sense prohibited by the constitution or laws of this State. A trial before the court without a jury resulted in favor of defendants, and the plaintiffs appeal. The evidence shows that E. H. Church does not believe in the inspiration of the Bible, that J. B. Jackson and Mrs. Lita Garrity are Roman Catholics, and that M. Cohen and Abe Levine are Jews. All of said parties have children and are patrons of said school. Mrs. Garrity and E. H. Church had protested to said trustees and teachers against the conducting of said exercises. Jackson, Cohen, and Levine had made no protest. The protest made had been disregarded by said trustees, and their action sustained by the state superintendent of public instruction. Said exercises were conducted in pursuance of the following resolution adopted by the board of school

trustees of the city of Corsicana, viz, 'Whereas, in the opinion of the board of school trustees of the Independent school district of the city of Corsicana, it would tend to draw the attention of the pupils away from other affairs and concentrate it upon the school work and would also tend toward an uplift of the moral tone of the student body, to have the daily sessions of our schools begin with appropriate "opening exercises," therefore be it resolved by said board that the board will view with favor the inauguration by the superintendent of a morning "opening exercise" in the high school and in all the rooms of the several ward schools, in which a short passage of the Bible may be read, without comment, by the teachers in charge, the Lord's Prayer recited in concert, and appropriate songs sung by the pupils. It is not intended by the board, however, to herein prescribe the character of such opening exercises, but is simply desired to indicate to the superintendent and teachers that any reasonable regulations in regard to such morning exercises along the lines above indicated, established by the superintendent will have the sanction and approbation of the board.' The exercises complained of are: 'The most of the teachers (but not all of them) read every morning from the Bible to their classes, and the pupils in almost every room are invited to join in the recital of the Lord's Prayer, and in all the rooms songs are sung by the pupils, usually patriotic songs such as "America," and the songs usually found in the music books used in the public schools of Texas. These exercises are prescribed by the superintendent of the city schools under and by virtue of the resolution shown above, and constitute a part of the regular order of every day, and all children attending the public schools of Corsicana are expected to be present during such exercises, and are not excused therefrom, and are marked tardy if not present when such exercises begin. No pupil, however, is required by the teacher in charge to take any active personal part in such exercises, though all are invited by the teachers to do so, the pupils are not required by the teacher to repeat the Lord's Prayer or to join in the songs sung, but are invited to do so, and as a matter of fact as a general thing nearly all pupils join in the recital of the Lords' Prayer and in the singing. The only requirement made and enforced in the opening exercises of the school is that the pupil shall be present, and during the exercises behave in an orderly manner. The only attitude or posture which pupils are requested to assume during the exercises in question is that of bowing the head during the Lord's Prayer, and this is not required by the teachers of the pupils.' Since the said opening exercises have been held, beginning with the opening of the schools in September last, the selections from the Bible, which have been read in the several rooms of the schools, have been principally passages from the Old Testament, including selections from Psalms, Proverbs, and some of the old familiar stories from the Old Testament. The selections read from the New Testament are usually the sermon on the mount and passages of like tenor. In all reading the Bible used is King James's version. Since the practice of reading of the Bible was begun as aforesaid in said schools the reading by the several teachers has been without comment, explanation, or attempt at interpretation whatever.

"J. W. Cantwell, superintendent, testified in reference to the character of the exercises, as follows: Some of the teachers, but not all of them, read from King James's version of the Bible, without comment, select passages from the Old Testament, Psalms, and Proverbs, and also read appropriate Bible stories, also read from the sermon on the mount, in the New Testament, and the teachers repeat, in concert with the children, the Lord's Prayer, and sing appropriate songs. Witness warned the teachers not to read anything that would be objectionable from the New Testament. The songs that have been sung are mostly patriotic and selected from the song books used in the schools. The Bible stories read were such as the life of Moses, Joseph, and the other historical characters of the Bible. It was discretionary with the superintendent (witness) as to what portion of the Bible should be read, and he instructed the teachers what should and should not be read. The children are not compelled to join in repeating the Lord's Prayer, nor to join in the singing, but are invited to do so. The children are invited to join in the exercises, but are not required to do so. They are not required to repeat the Lord's Prayer or join in singing. They are required to be present, and are marked tardy if absent. The purpose of the exercises is for the moral instruction of the children. They are not sectarian. In preparing for a Christmas celebration in the primary department, in the room of Miss Sallie Evans, some songs were sung which were objected to by Rabbi Stolnitz as being sectarian, and I had it stopped. Witness instructed the teachers that they must not read any sectarian passages

from the Bible, nor sing any objectionable songs. The children are invited to stand up or bow their heads during the repeating of the Lord's Prayer, but are not forced to do so. They are expected to be orderly and respectful during the exercises, if they do not join in them. All of the teachers do not have the same exercises. Those teachers who use the Bible do not always do so, but vary by substituting standard works of literature. The reading of the Bible and repeating of the Lord's Prayer is not compulsory.

"The ten assignments of error presented by the appellants will be embraced in three propositions, to wit: (1) The said exercises converted the schoolroom into a place of worship, within the intent and meaning of section 6, art. 1, of the constitution. (2) The said exercises rendered the public schools 'sectarian' within the intent and meaning of section 7, article 1, and of section 5, article 7, of the constitution. (3) The said exercises converted the public schools into a sect, religious society, theological or religious seminary, within the intent and meaning of section 7, article 1, of the constitution.

"The sections of the constitution referred to are:

"'ART. 1, sec. 6. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect, or support any place of worship or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship.

"'SEC. 7. No money shall be appropriated or drawn from the treasury for the benefit of any sect or religious society, theological or religious seminary, nor shall property belonging to the State be appropriated for any such purposes.'

"The provisions of article 7, section 5, relate to the school fund, and provide that none of said money shall 'ever be appropriated to or used for the support of any sectarian school.'"

We will consider the three propositions upon which the plaintiffs in error rest their case in the inverse order of their statement above.

First. Did the exercises complained of convert the public schools into a sect, religious society, theological or religious seminary? (1) It is scarcely necessary to discuss the proposition that the school was converted into a sect. The word "sect" is defined in the Standard Dictionary as "a body of persons distinguished by particularities of faith and practice from other bodies and adhering to the same general system." The exercises detailed in the testimony in this case did not show that these persons were associated together in any way whatever except in the character of a common public free school. (2) "A religious society is a voluntary association of individuals or families united for the purpose of having a common place of worship and to provide a proper teacher to instruct them in religious doctrines and duties, and to administer the various ordinances of religion."—(24 Am. and Eng. Ency. Law, 2d ed., 327.) The school, under the evidence, did not come within the definition of a religious society. (3) "A seminary is a place of education * * * specifically a school for the education of men for the priesthood or ministry."—(25 Am. and Eng. Ency. Law, 286.) A seminary being "a place of education," the adjectives "theological or religious" necessarily give to it the meaning of a place specifically for the preparation of men for the ministry, or at least for the teaching of religious doctrines. The words are commonly so used. The evident intention of the convention which framed the constitution was to prevent the legislature from endowing any such religious or theological schools. The school at Corsicana was organized under the laws of the State of Texas, and while it might be perverted in actual instruction to purposes foreign to its organization, it would not be a theological or religious seminary because some acts of worship were performed there.

Second. The word "sectarian" is defined by the Standard Dictionary as "pertaining to, peculiar to, or devoted to the interest of a sect or sects; especially, marked by attachment to a sect or denomination." However improper the exercises may have been, there is nothing in the evidence to show that they were in the interest of or forwarding the views of any one denomination of people. It was the purpose of the constitution to forbid the use of public funds for the support of any particular denomination of religious people, whether they be Christians or of other religions. The school was not rendered

sectarian within the meaning of the constitution by the exercises shown to have been indulged in by the teachers.

Third. Did the exercises which the evidence shows the teachers engaged in convert the schoolroom into "a place of worship" within the intent and meaning of section 6, article 1, of the constitution? A brief statement of the conditions that existed in Texas under the Mexican Republic will aid us to understand the provisions of our constitution. Prior to the revolution of 1836 the Catholic was the established religion of the Republic of Mexico, and all citizens of Texas were required to conform to the teachings of that church. It was supported by the Government, and by taxation the citizens were compelled to contribute thereto. One of the charges made against the Republic of Mexico in the declaration of independence was, "It denies us the right of worshiping the Almighty according to the dictates of our own conscience by the support of a national religion calculated to promote the temporal interest of its human functionaries rather than the glory of the true and living God." The third division of the declaration of rights in the constitution of the Republic of Texas reads as follows: "No preference shall be given by law to any religious denomination or mode of worship over another, but every person shall be permitted to worship God according to the dictates of his own conscience." The constitution of the State of Texas, framed in 1845, contains practically the same provision as is now embraced in the constitution of this State in these words: "Sec. 4. All men have a natural and indefeasible right to worship God according to the dictates of their own conscience; no man shall be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his own consent."—(Const. 1845, art. 1, sec. 4.) Thus we see that the provision in our constitution was a protest against the policy of Mexico in establishing and maintaining a church of state and compelling conformity thereto, and was intended to guard against any such action in the future. The primary purpose of that provision of the constitution was to prevent the legislature from in any way compelling the attendance of any person upon the worship of a particular church or in any manner, by taxation or otherwise, cause any citizen to contribute to the support of "any place of worship." As used in the constitution the phrase "place of worship" specifically means "a place where a number of persons meet together for the purpose of worshiping God." (State *v.* Swink, 20 N. C., 492.) The Century Dictionary gives this definition: "A building or part of a building set apart for any purpose—as a place of worship." The worship of God is not prohibited in any place, but we are of the opinion that the spirit of the constitution would include any place at which the worship might be indulged in so continuously and in such a manner as to give it the character of "a place of worship." Buildings and institutions erected and maintained by the State can not be used for such purposes. We do not undertake to state any rule as to what will constitute "a place of worship." That must necessarily depend upon the facts of each case. We confine ourselves to the decision of the question, Does the evidence show that the exercises engaged in by the teachers of the school at Corsicana constitute the school building "a place of worship" within the meaning of the constitution?

To hold that the offering of prayers, either by the repetition of the Lord's prayer or otherwise, the singing of songs, whether devotional or not, and the reading of the Bible, make the place where such is done a place of worship would produce intolerable results. The house of representatives and the senate of the state legislature each elect a chaplain, who, during the session, daily offers prayers to Almighty God in behalf of the State, and in the most express manner invokes the supervision and oversight of God for the lawmakers. In the chapel of the state university building a religious service, consisting of singing songs, reading portions of the Bible, with prayers and addresses by ministers and others, is held each day. The Young Men's Christian Association hold their services in that building each Lord's day, and the Young Women's Christian Association has a like service in another public building. At the blind institute on each Lord's day prayers are offered, songs are sung, Sunday school is taught, and addresses made to the children with regard to religious matters. Devout persons visit our prisons and offer prayers for those who are confined. An annual appropriation is made for a chaplain for the penitentiary. In fact, Christianity is so interwoven with the web and woof of the state government that to sustain the contention that the constitution prohibits reading the Bible, offering prayers, or singing songs of a religious character in any public building of the Government would produce a condition bordering upon moral anarchy. The absurd and hurtful consequences furnish a strong argument

against the soundness of the proposition. The right to instruct the young in the morality of the Bible might be carried to such extent in the public schools as would make it obnoxious to the constitutional inhibition, not because God is worshiped, but because by the character of the services the place would be made "a place of worship."

There is no difference in the protection given by our constitution between citizens of this State on account of religious beliefs; all are embraced in its broad language and are entitled to the protection guaranteed thereby; but it does not follow that one or more individuals have the right to have the courts deny the people the privilege of having their children instructed in the moral truths of the Bible because such objectors do not desire that their own children shall be participants therein. This would be to starve the moral and spiritual natures of the many out of deference to the few. The cases are in conflict upon the questions discussed in this opinion, but we believe the following sustain our conclusion by sound reasoning: Moore *v.* Monroe, 64 Iowa, 367; 20 N. W., 475; 52 Am. Rep., 444. Pfeiffer *v.* Board of Education, 118 Mich., 560; 77 N. W., 250; 42 L. R. A., 536. Hackett *v.* Brooksville School, 120 Ky., 608; 87 S. W., 792; 69 L. R. A., 592; 117 Am. St. Rep., 599.

The judgments of the district court and court of civil appeals are affirmed.

HEALTH REGULATIONS—VACCINATION.

VII. Illinois.

[People *v.* Board of Education of the City of Chicago (Supreme Court of Illinois, April 23, 1908, rehearing denied June 9, 1908), 84 N. E., 1046.]

Appeal from circuit court, Cook County; J. W. Mack, judge.

Petition for mandamus by the people, on relation of Louise Jenkins, against the board of education of the city of Chicago. From a judgment dismissing the petition relator appeals. Reversed and remanded.

CARTWRIGHT, J. Louise Jenkins, by her next friend, filed her petition in the name of the people, in the circuit court of Cook County, against the board of education of the city of Chicago, and therein alleged that she was a resident of the city, 6 years of age, a daughter of D. F. D. Jenkins, a resident and taxpayer of said city, and that on October 29, 1907, she applied for admission as a pupil to the John Fiske School, which she was entitled to attend, and was denied admission to the said school by the board of education because she refused to be vaccinated, and she prayed for a writ of mandamus commanding the board to admit her to the public schools. The board of education answered, making no denial of the averments of fact contained in the petition, which were therefore admitted to be true, but setting up in justification of the exclusion of the relator an ordinance of the city of Chicago and instructions by the health department to enforce such ordinance. The relator demurred to the answer, and the court overruled the demurrer. The relator elected to stand by the demurrer, and judgment was entered against her, dismissing the petition and for costs. An appeal to this court was prayed for, and the trial judge certified that the validity of the city ordinance was involved, and in his opinion public interest required that an appeal should be taken direct to this court, in pursuance of section 118 of the practice act. (Laws 1907, p. 467.) The appeal was allowed and perfected, and the record has been filed in this court.

The constitution requires the general assembly to provide a thorough and efficient system of free schools, whereby all children in this State may receive a good common-school education, and the statute provides for establishing and keeping in operation such schools for the accommodation of all children over the age of 6 and under the age of 21 years. The right to attend the public school in the district where the relator resides is therefore given to her by the law, and the duty to admit her and to maintain the school rests upon the board of education. The legislature have never made it a condition precedent to the exercise of the legal right to attend the public schools that children shall be vaccinated, and the question whether power to do that exists is not involved in this case. The petition alleges, and the answer does not deny, that the defendants denied to the relator admission to the John Fiske School, but the

answer sets up as justification for the exclusion an ordinance of the city of Chicago. Not only have the legislature never prescribed vaccination as a condition to the enjoyment of the legal right to attend public schools, but they have never conferred upon cities the power to do so. If the city of Chicago has power to pass any ordinance on the subject, the power is derived from the authority conferred upon the city council to appoint a board of health and prescribe its powers and duties, to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease, and to pass all ordinances and rules, and to make all regulations proper or necessary to carry into effect such authority. The ordinance set out in the answer was passed on March 20, 1905, and the only section relating to exclusion from schools is section 1255, which is as follows: "No principal or person in charge or control of any school shall admit to such school any child who shall not have been vaccinated within seven years next preceding the admission or application for admission to any such school of such child, nor shall any such principal or person retain in or permit to attend any such school any child who shall not have been vaccinated as provided in this article."

The general police powers above enumerated to pass ordinances and make regulations for the promotion of health or the suppression of disease do not include the passage of such an ordinance as this, which makes vaccination a condition precedent to the right to an education. An ordinance passed by reason of such authority must be reasonable in its character and rest upon the ground that it is a necessary means of preserving the public health. In the case of Potts *v.* Breen (167 Ill., 67; 47 N. E., 81; 39 L. R. A., 152; 59 Am. St. Rep., 262) it was held that the exclusion of a child from a public school because of a refusal to be vaccinated can only be justified where such course is necessary, or reasonably appears to be necessary, in case of an existing or threatened epidemic of smallpox, and to prevent the spread of the disease. In the case of Lawbaugh *v.* Board of Education (177 Ill., 572; 52 N. E., 850) the court adhered to those principles, and declined to further discuss them, although earnestly urged to reconsider the former decision. Section 1255 is null and void and affords no justification for denying relator admission to the John Fiske School, whether the denial of her legal right was at the instance of the health commissioner, the health department, or any other authority.

The only other section of the ordinance which has any relation to schools, or which purports to give any authority respecting them to the health commissioner or health department, is section 1253, and it does not purport to give any authority to exclude children from schools. It provides that the commissioner of health, or any officer of the health department designated and authorized to act by such commissioner, shall have power to enter any of certain enumerated buildings and places, among which are schoolhouses, under certain circumstances, and that such commissioner or officer shall have power to vaccinate any person found in such building or place whom he shall deem it necessary or advisable to vaccinate. It further purports to authorize the commissioner, at any time when smallpox is prevalent or an epidemic of smallpox is or appears to be imminent, to vaccinate any person in the city whom he shall deem it necessary or advisable to vaccinate, provided that such person may be vaccinated by his own physician in a manner satisfactory to the commissioner. Although this section is set out at length in the answer, it is not alleged that the commissioner was attempting to vaccinate the relator, and no justification under its provisions is attempted.

Section 1035 of the ordinance purports to give to the commissioner of health power to make such rules and regulations in relation to the sanitary condition of the city and for the prevention and suppression of disease, not inconsistent with the municipal code, as he may deem necessary or advisable, but it provides that such rules and regulations shall not take effect and be in force until approved by the city council, except in cases of emergency. The answer does not allege that the commissioner of health made any rules or regulations or that any were approved by the city council. The section further provides that the commissioner may make rules and regulations for the preservation of the public health in case of an emergency from contagious or epidemic disease or danger from anticipated or impending contagious or epidemic disease, but such emergency rules and regulations shall, as soon as may be after the promulgating of the same, be reported to the city council for approval. Here, again, it does not appear that the commissioner acted under any provision of that section, or

made any rule or regulation, or reported any to the city council after promulgation.

These provisions of the ordinance are the only ones that could in any event have any relation to attendance upon the public schools, and the only one that was enforced against the relator was section 1255, which is null and void. The answer alleged as a matter of fact, that on October 29, 1907, the disease of smallpox was prevalent in the district in which the John Fiske School was located, within such a radius as to make it dangerous for all persons therein residing who had not been vaccinated; that the commissioner of health declared smallpox to be epidemic in said district, and instructions were given by the health department to exclude all children who had not been vaccinated in accordance with the terms of the ordinance. The terms of the ordinance are that no child shall attend the public schools who has not been vaccinated within seven years, and do not constitute a lawful exercise of any power conferred upon the city. The health commissioner is a purely ministerial officer and has no legislative powers whatever. The ordinance does not purport to give him authority to exercise such powers or to make any rules or regulations, except in cases of emergency, until they can be reported to the city council for approval or rejection. He can only be authorized to perform administrative duties in pursuance of some ordinance of the city, and there was no valid ordinance authorizing the exclusion of relator from the public school which she had a legal right to attend. There is nothing in the nature of an emergency in the occasional recurrence of the well-known disease of smallpox in a city like Chicago which may not be provided for by general rules and regulations prescribed by the legislative authority of the city. The board of education, which has charge of the public schools, has made no rule or regulation on the subject of such epidemics, and neither has the city council. The answer does not make known any ordinance, rule, or regulation for the exclusion from the schools of children not vaccinated in the event that an epidemic of smallpox exists in the vicinity of a school or is reasonably apprehended, and in our opinion the court erred in overruling the demurrer.

The judgment is reversed, and the cause is remanded to the circuit court, with directions to sustain the demurrer.

Reversed and remanded with directions.

VIII. North Carolina.

[Hutchins *v.* School Committee of Town of Durham (Supreme Court of North Carolina, November 30, 1904), 49 S. E., 46.]

Appeal from superior court, Durham County; Bryan, judge.

Mandamus by J. W. Hutchins to compel the school committee of the town of Durham to admit plaintiff's daughter to the school. From a judgment for defendant plaintiff appeals. Affirmed.

CLARK, C. J. This is an application for a mandamus to the defendant public school committee to admit the daughter of the plaintiff to the public schools. The sole question presented is whether the following resolution is a reasonable exercise of the powers of the school committee of the city of Durham: "Whereas from the report and recommendation of Dr. N. M. Johnson, superintendent of health of Durham County, in the judgment of this committee, general vaccination of teachers and children attending the schools is desired and required for the public safety: Now, therefore, *Be it resolved*, That no teacher or pupil be allowed to attend any school of the city of Durham after April 1, 1904, who does not present to the principal of such school a certificate of a physician of the city showing that such teacher or pupil has been successfully vaccinated within three years from that time, unless such person has been vaccinated within ten days preceding the date he or she presents himself or herself for such attendance; and this resolution shall be a permanent regulation of the schools." An epidemic of smallpox prevailed in the city of Durham and its suburbs last spring, not less than 1,000 persons being attacked, and the above resolution was passed as a protection to the 2,500 children in the schools of that city, the attendance in which had fallen off 40 per cent by reason of the fear of contagion. These facts are averred in the answer and found to be true by the judge. In our judgment, the resolution was a proper and reasonable exercise of the powers of the defendant.

This is not a question of compulsory vaccination under legislative authority—that matter was before us and settled in State *v.* Hay, 126 N. C. 999, 35 S. E. 459, 49 L. R. A. 588, 78 Am. St. Rep. 691—but simply whether, if a child is not vaccinated, the school board can, as a precautionary measure, exclude all such from the school, by a resolution, under the power given in the charter to "have entire and exclusive control of the public school interest and property in the town of Durham, prescribe rules and regulations, * * * and do all other acts that may be just and lawful to conduct and manage the public school interests in said town." A similar resolution passed by the St. Louis board of public schools was held reasonable and valid In re Rebenack, 62 Mo. App., 8; the court saying: "In the nature of things, it must rest with the boards to determine what regulations are needful for a safe and proper management of the schools, and for the physical and moral health of the pupils intrusted to their care. If said regulations are not oppressive or arbitrary, the court can not or should not interfere." The same ruling was made as to a similar resolution in Duffield *v.* School Dist., 162 Pa. 476, 29 Atl. 742, 25 L. R. A. 152; the court holding: "A school board has power to adopt reasonable health regulations for the benefit of pupils and the general public, and has a right to exclude from the schools those who do not comply with the regulations of the city authorities and the school board requiring a certificate of vaccination as a condition of attendance." To the same purport it is said in State *v.* Zimmerman, 86 Minn. 353, 90 N. W. 783, 58 L. R. A. 78, 91 Am. St. Rep. 351: "The welfare of the many is superior to that of the few, and, as regulations compelling vaccination are intended and enforced solely for the public good, the rights conferred thereby are primary and superior to the right of any pupil to attend the public schools." In Blue *v.* Beach (Ind. Sup.) 56 N. E. 89, 50 L. R. A. 64, 80 Am. St. Rep. 195, it is pointed out that the constitutional guaranty that tuition shall be free and the schools equally open to all is necessarily subject to reasonable regulations to enforce discipline by expulsion of the disorderly, and protection of the morals and health of the pupils. The above cases are cited with approval in State *v.* Hay, 126 N. C. 999, 35 S. E. 459, 49 L. R. A. 588, 78 Am. St. Rep. 691. To same purport is Sherman *v.* Charleston, 8 Cush. 160, where Shaw, C. J., says: "The right to attend is not absolute, but one to be enjoyed by all on reasonable conditions."

The plaintiff relies upon Potts *v.* Breen, 167 Ill. 67, 47 N. E. 81, 39 L. R. A. 152, 59 Am. St. Rep. 262, that, in the absence of express legislative power, a resolution requiring vaccination as a prerequisite to attending schools is unreasonable when smallpox does not exist in the community and there is no reasonable ground to apprehend its appearance. We are not inclined to follow that authority. With the present rapid means of intercommunication, smallpox may make its appearance in any community at any moment without any notice given beforehand, and incalculable havoc be made, especially among the school children, which can not be remedied by a subsequent order excluding the nonvaccinated. "An ounce of prevention is worth a pound of cure." Besides, that case is not in point here, where smallpox had been epidemic and was still threatening. The language of the resolution making it "permanent" will not prevent its repeal if upon the subsidence of the danger the school board of that day shall deem it proper to repeal. If the action of the board is not satisfactory to the public, a new board will be elected who will rescind the resolution.

The fact that it would be dangerous to vaccinate the plaintiff's daughter, owing to her physical condition, would be a defense for her to an order for general compulsory vaccination (State *v.* Hay, supra), but is no reason why she should be excepted from a resolution excluding from the school all children who have not been vaccinated. That she can not safely be vaccinated may make it preferable that she herself should run the risk of taking the smallpox, but is no reason that the children of the public school should be exposed to like risk of infection through her or others in like case. Though the school children are vaccinated, there are always some whose vaccination is imperfect, and danger to them should not be increased by admitting those not vaccinated at all. Besides, a rule not enforced to all alike will soon cease to be a rule enforceable at all.

No error.

IX. New York.

[Viemeister *v.* White, president of board of education, et al. (Court of Appeals of New York, October 18, 1904), 72 N. E., 97.]

Appeal from supreme court, appellate division, second department.

Application of Edmund C. Viemeister for writ of mandamus to Patrick J. White, president of the board of education of the borough of Queens, and others. From a judgment of the appellate division (84 N. Y. Supp., 712), affirming an order of the special term denying the writ, relator appeals. Affirmed.

VANN, J. The relator moved for a writ of mandamus to compel the officers having control of a public school in the county of Queens to readmit his child, a lad 10 years of age, to said school without requiring him to be vaccinated. It appeared from the moving papers that the boy had been in regular attendance at the school, and that the principal thereof, pursuant to the instructions of the board of education, had excluded him therefrom, because he refused to be vaccinated. It appeared from the papers read in opposition to the motion that when the relator's son was excluded from the school there was a regulation of the board of education in full force which provided that "no pupil shall be allowed to attend any school, nor shall any teacher be empoyed in the same, unless such pupil or teacher has been vaccinated." It further appeared that the lad had never been vaccinated, and that he refused to submit to vaccination; but it was not alleged that at the time of such exclusion smallpox was prevalent in the neighborhood, or that there was any special danger, from recent exposure or other causes, of an immediate spread of the disease.

The constitution requires the legislature to "provide for the maintenance and support of a system of free common schools, wherein all the children of this State may be educated." Constitution, article 9, section 1. The public-health law provides that "no child or person not vaccinated shall be admitted or received into any of the public schools of the State, and the trustees or other officers having the charge, management, or control of such schools shall cause this provision of law to be enforced. They may adopt a resolution excluding such children and persons not vaccinated from such school until vaccinated. * * *" Public-health law, Laws, 1893, page 1495, chapter 661, section 200, renumbered section 210 by Laws of 1900, page 1484, chapter 667, section 2. The same law provides for the free vaccination of children of suitable age who wish to attend the public schools, provided their parents or guardians are unable to procure vaccination for them. This is a reenactment of a statute containing the same provisions in substance, passed in 1860, which remained in force until the passage of the public health law in 1893. Laws, 1860, page 761, chapter 438.

The question presented is whether the legislature is prohibited by the constitution from enacting that such children as have not been vaccinated shall be excluded from the public schools. The appellant claims that the public-health law places an unreasonable restriction upon the right of his child to attend school, and that it violates the section of the constitution already quoted, as well as the general guaranties for the protection of the rights, privileges, and liberties of the citizen. Constitution, article 1, sections 1, 6. The respondents claim that the object and effect of such legislation is the protection of the public health, and hence that it is a valid exercise of the police power. The police power, which belongs to every sovereign State, may be exerted by the legislature, subject to the limitations of the constitution, whenever the exercise thereof will promote the public health, safety, or welfare. The power of the legislature to decide what laws are necessary to secure these objects is subject to the power of the courts to decide whether an act purporting to promote the public health or safety has such a reasonable connection therewith as to appear upon inspection to be adapted to that end. A statute entitled a health law must be a health law in fact as well as in name, and must not attempt in the name of the police power to effect a purpose having no adequate connection with the common good. As we have recently said, it "must tend in a degree that is perceptible and clear toward the preservation of the * * * health * * * or welfare of the community, as those words have been used and construed in the many cases heretofore decided." Health Department of New York *v.* Rector, etc., 145 N. Y., 32, 39; 39 N. E., 833; 45 Am. Stat. Rep., 579. When the sole object and general tendency of legislation is to promote the public health, there is no invasion of the constitution, even if the enforcement of the law interferes to some extent with liberty or property. These principles are so well established as to require no discussion, and we cite but a few out of many

authorities relating to the subject. (Matter of Jacobs, 98 N. Y., 98, 108; 50 Am. Rep., 636. People *v.* Marx, 99 N. Y., 377; 2 N. E., 29; 52 Am Rep., 34. People *v.* Arensberg, 105 N. Y., 123; 11 N. E., 277; 59 Am. Rep., 483. People *v.* Gillson, 109 N. Y., 389; 17 N. E., 343; 4 Am. Stat. Rep., 465. People *v.* Ewer, 141 N. Y., 129; 36 N. E., 4; 25 L. R. A., 794; 38 Am. Stat. Rep., 788. People ex rel. Nechamcus *v.* Warden, etc., 144 N. Y., 529; 39 N. E., 686; 27 L. R. A., 718. People *v.* Havnor, 149 N. Y., 195; 43 N. E., 541; 31 L. R. A., 689; 52 Am. Stat. Rep., 707. People *v.* Adirondack Ry. Co., 160 N. Y., 225, 236; 54 N. E., 689. People *v.* Lochner, 177 N. Y., 145; 69 N. E., 373.)

The right to attend the public schools of the State is necessarily subject to some restrictions and limitations in the interest of the public health. A child afflicted with leprosy, smallpox, scarlet fever, or any other disease which is both dangerous and contagious may be lawfully excluded from attendance so long as the danger of contagion continues. Public health, as well as the interest of the school, requires this, as otherwise the school might be broken up and a pestilence spread abroad in the community. So a child recently exposed to such a disease may be denied the privilege of our schools until all danger shall have passed. Smallpox is known of all to be a dangerous and contagious disease. If vaccination strongly tends to prevent the transmission or spread of this disease, it logically follows that children may be refused admission to the public schools until they have been vaccinated. The appellant claims that vaccination does not tend to prevent smallpox, but tends to bring about other diseases, and that it does much harm, with no good.

It must be conceded that some laymen, both learned and unlearned, and some physicians of great skill and repute, do not believe that vaccination is a preventive of smallpox. The common belief, however, is that it has a decided tendency to prevent the spread of this fearful disease and to render it less dangerous to those who contract it. While not accepted by all, it is accepted by the mass of the people, as well as by most members of the medical profession. It has been general in our State and in most civilized nations for generations. It is generally accepted in theory and generally applied in practice, both by the voluntary action of the people and in obedience to the command of law. Nearly every State of the Union has statutes to encourage or directly or indirectly to require vaccination, and this is true of most nations of Europe. It is required in nearly all the armies and navies of the world. Vaccination has been compulsory in England since 1854, and the last act upon the subject, passed in 1898, requires every child born in England to be vaccinated within six months of its birth. It became compulsory in Bavaria in 1807; Denmark, 1810; Sweden, 1814; Wurttemberg, Hesse, and other German States, 1818; Prussia, 1835; Roumania, 1874; Hungary, 1876; and Servia, 1881. It is aided, encouraged, and to some extent compelled, in the other European nations. (24 Enc. Brit., 30.) It is compulsory in but few States and cities in this country, but it is countenanced or promoted in substantially all, and statutes requiring children to be vaccinated in order to attend the public schools have generally been sustained by the courts. (Abeel *v.* Clark, 84 Cal., 226; 24 Pac., 383. Bissell *v.* Davison, 65 Conn., 183; 32 Atl., 348; 29 L. R. A., 251. Blue *v.* Beach, 155 Ind., 121; 56 N. E., 89; 80 Am. Stat. Rep., 195; 50 L. R. A., 64. Morris *v.* City of Columbus, 102 Ga., 792; 30 S. E., 850; 42 L. R. A., 175; 66 Am. Stat. Rep., 243. State *v.* Hay, 126 N. C., 999; 35 S. E., 459; 49 L. R. A., 588; 78 Am. Stat. Rep., 691. Hazen *v.* Strong, 2 Vt., 427. In re Rebenack, 62 Mo., App. 8. Duffield *v.* Williamsport School District, 162 Pa., 476; 29 Atl., 742; 25 L. R. A., 152. Cooley's Cons. Lim. (7th ed.), 880. Prentice on Police Powers, 39, 132. 1 Dillon's Mun. Corp., sec. 355. Parker & Worthington's Public Health and Safety, sec. 123.)

A common belief, like common knowledge, does not require evidence to establish its existence, but may be acted upon without proof by the legislature and the courts. While the power to take judicial notice is to be exercised with caution, and due care taken to see that the subject comes within the limits of common knowledge, still, when according to the memory and conscience of the judge, instructed by recourse to such sources of information as he deems trustworthy, the matter is clearly within those limits, the power may be exercised by treating the fact as proved without allegation or proof. (Jones *v.* U. S., 137 U. S. 202, 216, 11 Sup. Ct. 80, 34 L. Ed. 691; Hunter v. N. Y., O. and W. R. R. Co., 116 N. Y. 615, 623, 23 N. E. 9, 6 L. R. A. 246; Porter *v.* Waring, 69 N. Y., 250, 253; Geist *v.* Detroit City R. R. Co., 91 Mich. 446, 51 N. W. 1112; Greenleaf's Ev. (14th Ed.) sec 5; 1 Wharton's Ev. (3d Ed.) sec 282; 1 Starkie's Ev. 211; 17 Am. and Eng. Encyc. (2d Ed.) 894.) Common belief, in order to

become such common knowledge as to be judicially noticed by us, must be common in this State, although in a matter pertaining to science it may be strengthened somewhat by the general acceptance of mankind. As was said by Mr. Justice Swayne in Brown *v.* Piper, 91 U. S. 37, 42, 23 L. Ed. 200: "Courts will take notice of whatever is generally known within the limits of their jurisdiction, and, if the judge's memory is at fault, he may refresh it by resorting to any means for that purpose which he deems safe and proper. This extends to such matters of science as are involved in the cases brought before him." See, also, People *v.* Lochner, 177 N. Y. 169, 69 N. E. 373.

The fact that the belief is not universal is not controlling, for there is scarcely any belief that is accepted by every one. The possibility that the belief may be wrong, and that science may yet show it to be wrong, is not conclusive; for the legislature has the right to pass laws which, according to the common belief of the people, are adapted to prevent the spread of contagious diseases. In a free country, where the government is by the people through their chosen representatives, practical legislation admits of no other standard of action; for what the people believe is for the common welfare must be accepted as tending to promote the common welfare, whether it does in fact or not. Any other basis would conflict with the spirit of the constitution, and would sanction measures opposed to a republican form of government. While we do not decide and can not decide that vaccination is a preventive of smallpox, we take judicial notice of the fact that this is the common belief of the people of the State, and with this fact as a foundation we hold that the statute in question is a health law, enacted in a reasonable and proper exercise of the police power. It operates impartially upon all children in the public schools, and is designed not only for their protection but for the protection of all the people of the State. The relator's son is excluded from school only until he complies with the law passed to protect the health of all, himself and his family included. No right conferred or secured by the constitution was violated by that law, or by the action of the school authorities based thereon. In view of the opinions below, we regard further discussion as unnecessary, and we affirm the order appealed from, with costs.

We concur:

CULLEN, C. J.
O'BRIEN,
HAIGHT,
MARTIN,
WERNER, J. J.
(Absent) GRAY, J.

Order affirmed.

X. Pennsylvania.

[Stull *v.* Reber et al. (Supreme Court of Pennsylvania, May 7, 1906), 64 A., 419.]

Appeal from court of common pleas, Franklin County.

Bill by Edward C. Stull against J. H. Reber and others for an injunction. From a decree dismissing the bill plaintiff appeals. Affirmed.

The bill, after reciting that the complainant was a resident and taxpayer of the borough of Waynesboro and that Grace Stull was his daughter, of the age of 14 years, continued as follows: "The said Grace Stull is now and has been since the beginning of the present school year or term, to wit, September 4, 1905, properly and justly enrolled as a pupil in and attending the common or public school known as 'A grammar school,' conducted in the Snider avenue school building situate in the third ward of the said borough; that she is in good health and is not suffering from any contagious or infectious disease, and is legally and justly entitled to continue to attend the said public school for the remainder of the school term or year and is entitled to remain enrolled as a pupil thereof. J. H. Reber is the superintendent of all the common or public schools of the said borough of Waynesboro; Charles H. Coover is the principal of the said Snider avenue school building and has charge of the schools therein conducted; Chester A. Gessaman is the teacher of said A grammar school in which your orator's said child, Grace Stull, is enrolled and in attendance as a pupil. There is not, at the time of the filing of this bill, nor has there been for many years, any person in the said borough of Waynesboro or within many miles

thereof suffering from smallpox (variola or varioloid). Charles H. Coover, principal of said Snider avenue school, and Chester A. Gessaman, teacher of said A grammar school conducted therein, have by order and direction of said J. H. Reber, superintendent of the common and public schools of the said borough, notified your orator and the said Grace Stull, his daughter, that she, the said Grace Stull, will be dismissed and excluded from the said A grammar school, conducted in the said Snider avenue school building, in which she is enrolled and in attendance as a pupil, on the 11th day of December, 1905. And the said J. H. Reber, superintendent, Charles H. Coover, principal, and Chester A. Gesseman, teacher, as aforesaid, defendants, in violation of their statutory duty and to the prejudice of the petitioner's right in the premises, threaten and intend to dismiss and exclude the said Grace Stull from the said school on the 11th day of December, 1905. Your orator avers that unless restrained by your honorable court the said defendants will carry out their said threat and dismiss and exclude the said Grace Stull from the said school, whereby both the said Grace Stull and your orator will suffer great and irreparable injury, for which there is no adequate remedy at law." The bill prayed for an injunction. The answer admitted the material averments of the bill.

The court found, inter alia, the following facts: There is not, at the time of the filing of this bill, nor has there been for a period of about forty years, any person in the said borough of Waynesboro, or within many miles thereof, suffering from smallpox (variola or varioloid). Occasionally it is beyond the power of children of school age as well as adults to be successfully vaccinated, although they may not previously have had smallpox nor previously been vaccinated; that even repeated attempts to perform the operation of vaccination upon such children or adults is without effect and vaccination will not take. In such cases vaccination is not successful and the physician can not certify that such child or adult has been successfully vaccinated. Sometimes a child may be suffering from a constitutional weakness or its system may be in such an unhealthy condition as to render the operation of vaccination exceedingly dangerous to said child. The court entered a decree dismissing the bill.

Mitchell, C. J. The substantial question in this case is whether the act of June 18, 1895 (P. L., 203), requiring the exclusion from the public schools of children who have not been vaccinated, is a valid exercise of the police power of the State. It has been twice so decided by this court. In Duffield *v.* School District of Williamsport, 162 Pa. 476, 29 Atl. 742, 25 L. R. A. 152, a similar regulation, not even enacted by the legislature, but enforced by the school directors under an ordinance of the city of Williamsport, was held valid. And in Field *v.* Robinson, 198 Pa. 638, 48 Atl. 873, this very statute of 1875 was held constitutional. It appears to be thought that because the decision was given in a brief opinion per curiam the subject was not fully considered. But the proper inference is precisely the reverse, that the conclusion was so perfectly clear to the whole court that it did not require any extended argumentative support. After these two decisions the question ought to have been considered as closed. But we have it raised again, with small variations of facts and considerations, none of which are at all material.

On the constitutional question it is said that section 12 of the act contravenes sections 7 and 8 of article 3 of the constitution of 1874, in that it is local and special legislation, regulating the affairs of school districts. The terms of the act apply expressly to the "several municipalities" of the State, and it is argued that they do not include school districts in townships, and therefore make an unwarranted distinction in regard to such districts. Whether townships are municipalities within the intent of the act it is not now necessary to consider. Even if not, the separate classification of school districts in cities and boroughs with reference to public health where population is dense and the danger of contagion great would not be unconstitutional. Sugar Notch Borough, 192 Pa. 349, 43 Atl. 985. But the act is in no proper sense a regulation of school districts. It is an act entitled "For the more effectual protection of the public health in the several municipalities of the Commonwealth," and is a general statute on that subject. What bearing it has on schools and school districts is altogether incidental to them as constituents of the community. The constitutional restrictions on special legislation apply to direct legislation, not to the incidental operation of the statutes consitutional in themselves upon other subjects than those with which they directly deal. Sugar Notch Borough, 192 Pa. 349, 43 Atl. 985.

It is further said that section 12 contravenes section 1 of article 10 of the constitution of 1874, requiring the maintenance of an efficient system of public

schools wherein all children above the age of 6 years may be educated. It is sufficient to say that this article, like all others, must be construed and applied in connection with other fundamental governmental powers. The schools and school children, important as they are, are only fractions of the community, and the police power of the Commonwealth in the preservation of the public health must, if necessity arises, sacrifice the less to the greater interest. Salus populi suprema lex. If a child manifestly suffering from smallpox in its contagious stage should be excluded from school, it is hardly conceivable that the propriety of such action should be questioned. At what period before or after the outbreak of the disease the right of exclusion should arise is a legislative, not a judicial, question. As said by our late Brother Williams in Duffield *v.* School District, 162 Pa. 476, 29 Atl. 742, 25 L. R. A. 152, already cited: "It is conceded that the board might rightfully exclude the plaintiff's son if he was actually sick with or just recovering from the smallpox. Though he might not be affected by it, yet if another member of the same family was, the right to exclude him, notwithstanding he might be in perfect health, would be conceded. How far shall this right to exclude one for the good of many be carried? That is a question addressed to the official discretion of the proper officers; and when that discretion is honestly and impartially exercised the courts will not interfere." These words, it should be remembered, were written with reference to authority exercised under a city ordinance, and a fortiori when the police power of the State intervenes under the authority of a statute its directions are commands that may not be disputed.

It is further argued that sections 11 and 12 of the act should be read together, and the right under section 12 to exclude unvaccinated children should be confined to the schools in the districts mentioned in section 11, namely, those in which smallpox is actually prevalent. But this is manifestly not the legislative intent. Section 11 deals with a present and immediate danger, with persons, dwellings, and places where the disease actually prevails, and its prohibition includes adults as well as children, vaccinated or not. Section 12, on the contrary, is a cautionary and prospective regulation, having in view not the actual presence of the disease, but its appearance in the future. The objects of the two sections are distinctly different. In this connection the learned judge below found as a fact "that there is not at the time of the filing of this bill, nor has there been for a period of about forty years, any person in the said borough of Waynesboro, or within many miles thereof, suffering from smallpox (variola or varioloid)." It is argued that this feature distinguishes the case from those heretofore decided by this court. But the language of the act is general and its intent plain. The legislature may well have had in mind that the good fortune of such a community may not continue indefinitely. Immunity for forty years in the past affords no guaranty of immunity for even forty days in the future if a chance visitor from an infected locality or a borough resident returning from a visit to such locality should bring with him the germs of infection. Section 12 is precautionary and preventive, and it is an old and sound maxim that an ounce of prevention is worth a pound of cure. There is one hardship in the twelfth section that may deserve consideration with a view to a possible remedy. The court below found as a fact "that occasionally it is beyond the power of children of school age, as well as adults, to be vaccinated, although they may not previously have had smallpox nor previously been vaccinated; that even repeated attempts to perform the operation of vaccination upon such children or adults is without effect, and vaccination will not take. In such cases vaccination is not successful and a physician can not certify that such child or adult has been successfully vaccinated." The health authorities, state or local, might well consider whether they have power to make a regulation as to what should be deemed a successful vaccination or its equivalent; whether the ratio of such immune children is of sufficient importance to justify the exercise of such power if possessed; and whether such regulation would be undesirable as affording opportunity for the evasion of the statute. The latter, however, are medical and administrative, rather than judicial, questions.

Lastly, it is argued that, construing section 12 as we have done, it authorizes a trespass upon the reserved rights of the individual which are beyond the reach of even the police power. Vaccination, it is said, is the infliction of a disease—cowpox—on the subject, and if that can be done irrespective of his consent, then the next step may be to require submission to inoculation with antitoxin or serum for diphtheria, tuberculosis, cancer, etc., and we have rather a dismal picture of the possible consequences. It will be time enough to consider

such matters when they arise. At present the vast preponderance of opinion among intelligent and educated people, under the guidance of the best medical authority, is that vaccination is a highly useful ameliorative, if not always a preventive, of one of the greatest scourges that have in past times afflicted humanity, and that the regulation of it by statute is not only a justifiable, but a wise and beneficent exertion of the police power over the public health. When the legislature goes beyond that into new or more debatable fields, it will be time enough to consider the limits of its power.

One expression in the opinion of the court below and in some of the cases cited in the argument requires a passing note. The act is not a penal statute. It is a broad, general act relating to the health of the whole population of the Commonwealth. It is not, therefore, to be construed or administered by the rigid technical rules applicable to penal laws, but fairly according to its intent, neither narrowing it to the letter, to the exclusion of cases clearly within such intent, nor stretching it beyond its legitimate scope to cover matters not clearly meant to be included. It is an act touching very closely common rights and privileges and therefore specially requiring a common-sense administration.

Decree affirmed.

DISCIPLINE—RULES AND REGULATIONS.

XI. Illinois.

HIGH SCHOOL FRATERNITIES.

[Wilson *v.* Board of Education of Chicago (Supreme Court of Illinois, Apr. 23, 1908), 84 N. E., 697.]

Error to appellate court, first district, on appeal from superior court, Cook County, W. M. McEwen, judge.

Bill by Eberle L. Wilson against the board of education of Chicago. From a decree dismissing the bill for want of equity, affirmed by the appellate court, complainant brings error. Affirmed.

This is a writ of error sued out of this court to review a judgment of the appellate court affirming the decree of the superior court of Cook County sustaining a demurrer to the bill and dismissing it for want of equity. The bill was filed by four minors, by their next friends, to enjoin defendant in error, the board of education of the city of Chicago, from enforcing a certain rule adopted by said board and to have said rule declared null and void. The rule reads as follows: "The committee on school management reports that it is in receipt of the following report from the superintendent of schools and recommends concurrence therein: 'The superintendent of schools respectfully reports that, in accordance with the action of the board of education, taken at its last meeting, he has considered the matter of secret societies in the high schools, and respectfully recommends that the principals and teachers of the high schools be instructed to deny any secret societies which may now exist in their schools all public recognition, including the privilege of meeting in the school buildings; that such organizations be forbidden to use the school name; that no student who is known to be a member of a fraternity or sorority, or other so-called secret society, be permitted to represent the school in any literary or athletic contest or in any other public capacity; that the attention of parents of the pupils who are to attend the public high schools be called to the fact that the board of education, the superintendent and teachers of the high schools unanimously condemn all such secret societies.'" The bill alleges that complainants are all under 21 years of age and are attending the Hyde Park High School, one of the public schools of the city of Chicago, and are pursuing the course of study prescribed by the rules of the board of education, and obeying all lawful rules of said board and of the teachers employed by it; that complainants are members of an organization known as "Phi Sigma Fraternity," an organization not connected with, but distinct from, said Hyde Park High School; that the meetings of said organization are held after school hours; that said fraternity is a large association, having various branches and chapters located in various

States; that the chapter in Hyde Park was organized in 1897; that the aim of the society is to stimulate loyalty and fidelity to the teachers and schools, and a desire for a high scholarship and commendable individual action; that said society is not opposed or in any manner detrimental to the welfare of the school; that complainants and other pupils belonging to it live with and are under the control of their parents and have their consent to be members of said association. The bill further alleges that there are 1,200 pupils in attendance at the Hyde Park High School, and that there are a number of associations of the pupils of said school, such as literary, musical, athletic, and class organizations, and that many of the members of said organizations are members also of various fraternities. The bill further alleges that the board of education had recently sent out notice that the rule would be rigidly enforced, and that the complainants have, by reason thereof, been prevented, under threat of expulsion, from taking part in any literary or athletic contest held under the auspices of said school, and have been deprived of positions in said associations to which they had been elected by other pupils, and are denied the right to resume the said positions because of their membership in such fraternities; that participation in the exercises of the societies and associations of the said school is beneficial to pupils, and is freely granted to all except complainants and others who are members of secret societies. The bill charges that the adoption of said rule was the exercise of an arbitrary power by the board of education, violative of the natural rights of complainants and an unlawful discrimination against them, and is therefore null and void. The prayer is that the rule be declared void, and that the board of education be enjoined from enforcing or attempting to enforce it. The superior court sustained a demurrer to the bill and dismissed it for want of equity. Plaintiff in error, one of the complainants, prosecuted an appeal from that decree to the appellate court for the first district. That court affirmed the decree of the superior court, and the case is brought to this court for review upon a writ of error to the appellate court.

FARMER, J. (after stating the facts as above). The constitution of this State provides that "the general assembly shall provide a thorough and efficient system of free schools, whereby all children of this State may receive a good common school education." Section 1, article 8. By act of the general assembly, the public schools of the city of Chicago are under the control of the board of education, and it is given all power and authority required for the proper management of the schools, with power to enact such ordinances as may be deemed necessary and expedient for such purpose; also power to expel pupils who are guilty of gross disobedience or misconduct. It is made the duty of the board of education "to establish all such by-laws, rules, and regulations for the government and for the establishment and maintenance of a proper and uniform system of discipline in the several schools as may, in their opinion, be necessary."

Counsel for plaintiff in error does not question the power of the board of education to prescribe all reasonable rules necessary for the conduct and management of the public schools, but insists that the rule here involved was not a reasonable rule; that it was in violation of the natural rights of plaintiff in error, and an unlawful discrimination against him; and that this is a question of law to be determined by the courts. It is not claimed nor averred in the bill that plaintiff in error was deprived, by the rule in question, from attendance at the school, nor from taking his place in the classes to which he belonged and pursuing his studies and receiving instruction the same as all other pupils in the school in the course of studies taught therein. It appears from the averments of the bill that there were associations permitted to be organized among the pupils of said Hyde Park High School, principally for literary, musical, and athletic exercises and contests; but these were not a part of the course of study required to be pursued by pupils attending said school, and were not within the contemplation of the constitution nor of the act of the legislature in providing a system whereby all the children of the State may receive a good common school education. The power of the board of education to control and manage the schools and to adopt rules and regulations necessary for that purpose is ample and full. The rules and by-laws necessary to a proper conduct and management of the schools are, and must necessarily be, left to the discretion of the board, and its acts will not be interfered with nor set aside by the courts, unless there is a clear abuse of the power and discretion conferred. Acting reasonably within the powers conferred, it is the province of the board of education to determine what things are detrimental to the successful management, good order, and discipline of the schools and the rules required to pro-

duce these conditions. It was the judgment of the superintendent of schools of the city of Chicago, as well as of the board of education, that membership in secret societies, known as Greek-letter fraternities or sororities, was detrimental to the best interests of the schools. Whether this judgment was sound and well founded is not subject to review by the courts. The only question for determination is whether the rule adopted to prevent or remedy the supposed evil was a reasonable exercise of the power and discretion of the board. The rule required teachers to refuse to give public recognition to such secret societies, to refuse to allow their meetings to be held in the school buildings, or to allow the name of any school to be used by the organizations. The rule also required teachers to refuse to allow a member of a fraternity or sorority to represent his school in any literary or athletic contest or in any other public capacity; that parents of the pupils be informed that the board of education, the superintendent, and teachers in the high schools unanimously condemned all such secret societies. The rule denied to pupils who were members of secret societies no privilege allowed to pupils not members, except the privilege of representing the schools in literary or athletic contests or in any other public capacity. They were not denied membership in associations of pupils of the schools for literary, social, musical, or athletic exercises, and were not prohibited from receiving the same benefits from those organizations that pupils not members of secret societies received. They were only prohibited from representing the schools as members of those associations in public contests and capacities. This was not a denial of any natural right, and neither was it an unlawful discrimination.

People *v.* Wheaton College, 40 Ill., 186, was a mandamus proceeding against the college to compel the reinstatement of a student who had joined the Good Templars in violation of the college rules, and had for that reason been suspended from the privileges of the college until he expressed a purpose to conform to its rules. The court said: "Wheaton College is an incorporated institution, resting upon private endowments, and deriving no aid whatever from the State or from taxation. Its charter gives to the trustees and faculty the power 'to adopt and enforce such rules as may be deemed expedient for the government of the institution'—a power which they would have possessed without such express grant, because incident to the very object of their incorporation and indispensable to the successful management of the college. Among the rules they have deemed it expedient to adopt is one forbidding the students to become members of secret societies. We perceive nothing unreasonable in the rule itself, since all persons familiar with college life know that the tendency of secret societies is to withdraw students from the control of the faculty and impair to some extent the discipline of the institution. Such may not always be their effect, but such is their general tendency. But, whether the rule be judicious or not, it violates neither good morals nor the law of the land, and is therefore clearly within the power of the college authorities to make and enforce." Kinzer *v.* Directors (129 Iowa, 441; 105 N. W., 686; 3 L. R. A. (N. S.), 496) was a mandamus proceeding to compel the board of directors of Marion school district, Iowa, to reinstate in the high school a pupil who had been suspended therefrom by the board of directors until he should apologize to the superintendent, before the school, for his willful violation of a rule adopted by the board. The rule prohibited playing football under the auspices of the high school or on the school grounds. The pupil who was suspended, acting with others, caused a poster to be printed advertising a game of football to be played by the west branch of the high school and the high school on a Saturday, for which an admission fee of 25 cents was charged. The authority of the board to adopt the rule was challenged by the petitioner, and it was also contended by him that his conduct was not a violation of the rule. Both these contentions were decided in favor of the board of directors. The court said: "It was plainly intended, therefore, that the management of school affairs should be left to the discretion of the board of directors and not to the courts, and we ought not to interfere with the exercise of discretion on the part of a school board as to what is a reasonable and necessary rule, except in a plain case of exceeding the power conferred." In Wayland *v.* Hughes (43 Wash., 441; 86 Pac., 642; 7 L. R. A. (N. S.), 352) the validity of a rule substantially the same as the one here in question was passed upon by the supreme court of the State of Washington. The board of education of Seattle, after an investigation of the probable effect of Greek letter societies or fraternities upon pupils in the schools, in 1901 adopted a rule prohibiting

pupils from becoming members of such societies. George Wayland, while a pupil in the public school, in violation of the rule, became a member of a fraternity, as did also other pupils. In May, 1905, the board of education amended its former rule so as to provide that all pupils who were then members of any high school secret society, or pledged to become such, who would promise that so long as they remained pupils of said high school they would not become members of any other secret society or give any promise or pledge to become such, or solicit any other pupil to give any promise or pledge to become a member of any high school fraternity or secret society, and in good faith kept such promise, would be restored to the privileges of such school, but that all students who thereafter should become members or in any way pledge or bind themselves to join any high school fraternity or secret society, or should initiate or pledge any other student, or in any way encourage or foster the fraternity spirit in the high school should be denied all the privileges of the high school, except those of the schoolroom. Wayland brought suit against the board of education to enjoin it from enforcing this rule. The material allegations in his petition were in substance similar to the allegations of the bill in this case. An answer was filed by the board of education and a hearing had. The trial court refused the relief prayed, and an appeal was prosecuted to the supreme court. That court affirmed the judgment of the trial court, and in an able and exhaustive opinion passed upon every material question here involved, and we agree with the reasoning of the opinion and the conclusion reached by that court. We quote from the opinion the following: "The board has not excluded the appellant from the Seattle high school, neither has it threatened to expel or suspend him. He can and does attend school, and under our construction of the rules adopted he is at the same time permitted to continue his membership in the Gamma Eta Kappa fraternity, although in doing so he opposes the authority of the board and thereby forfeits certain privileges which are no necessary part of the curriculum or class work, from which he is not excluded. Respondents are only seeking to prevent appellant and his associates from dictating the terms on which they shall enjoy certain privileges which are merely incidental to the regular school work, and this they have authority to do. Appellant further contends that as the fraternities meet out of school hours at the homes of members, and at no time in the school building, and, as their parents consent to this action, the board is exceeding its lawful authority in entering their homes, in withdrawing from parents the control of their children, and in dictating what the children shall or shall not do out of school hours. We think this contention unreasonable. The board has not invaded the homes of any pupils, nor have they sought to interfere with parental custody and control. They have not said these fraternities shall not meet at the various homes, nor have they attempted to control students out of school hours."

What was there said is applicable to this case. The rule adopted by the board of education, and which is set out in full in the bill, shows upon its face that it was not the result of hasty and ill-considered action. At a previous meeting the board had instructed the superintendent of schools to investigate the effect of secret societies upon the schools, and upon his report that he had made the investigation, and upon his recommendation, the rule was adopted. Assuming, as we must, that the adoption of the rule was not an abuse of power or discretion conferred by law upon the board, courts can not, and should not, interfere with its enforcement. Pupils attending the schools may decide for themselves whether they prefer membership in the secret societies, with the disqualification from representing their schools in literary or athletic contests or other public capacities, or whether they prefer these latter privileges to membership in said societies. It is for the board of education, within the reasonable exercise of its power and discretion, to say what is best for the successful management and conduct of the schools, and not for the courts.

In our opinion the bill was properly dismissed, and the judgment of the appellate court is affirmed.

Judgment affirmed.

XII. Wisconsin.

[State *v.* District Board of School District No. 1 (Supreme Court of Wisconsin, May 8, 1908), 116 N. W., 232.]

Appeal from circuit court, Polk County; A. J. Vinje, judge.

Mandamus by the State, on the relation of L. B. Dresser, against the district board of school district No. 1, St. Croix Falls, Polk County, to compel reinstatement of relator's children after suspension from the high school. Writ denied, and relator appeals. Affirmed.

This is an action of mandamus commenced by the relator against the district board and G. J. Baker, principal of the high school of St. Croix Falls, to compel the reinstatement of two of relator's children who had been suspended by the principal. The petition, after the formal averments, states, in substance, that relator's two minor children had been continuous in their attendance upon the high school up to and including October 16, 1906, on which date they were suspended by the principal; that said suspension was illegal but had been ratified by the district board and still continued in force; that said children can not be readmitted to said school "unless they should apologize with a falsehood;" that the alleged cause of suspension of said children was a harmless act by them and three other pupils of the high school, which occurred after the schools had closed on October 10, 1906, and not during school hours, or in the building where the school was maintained, or while said children were under the control of said principal; that at the request of a member of the senior class, who had written a harmless poem, being a take-off on the rules of the school, the offending pupils, who were younger and less experienced, took the writing to the office of a weekly newspaper published in the same village, and requested the publisher to print the same in his paper if there was nothing wrong in it; that the publisher, deeming the same harmless, published it in part of the next issue of the paper. The poem was printed as part of the petition, but it is here omitted. It is alleged that the deportment of the children in school had been good, and they had never violated any of the rules prescribed for its management. An alternative writ was issued on November 7, 1906, based upon the petition, with supporting affidavits. The defendants in the return to the writ state, in substance, their belief that the publication of the poem in question in a public newspaper was detrimental to the interests of the school; that it not only tended to hold up said school, its discipline, and its teachers to public contempt and ridicule, but it tended toward awakening in the minds of the pupils themselves a feeling of hostility toward the teachers and a defiance toward the proper control and management of the school; that after the offense had been committed the children were advised of the harmfulness of their conduct and required to apologize, and upon their refusal they were suspended; that their reinstatement without suitable apology would be detrimental to the interests of the school and subversive of proper discipline therein; wherefore they ask that the petition be denied.

The relator demurred to this return on November 14, 1906. Thereupon the court, as appears by recitals in the subsequent findings, appointed a referee with the consent of the attorneys for the respective parties to take and report the evidence relating to the precise grounds of suspension of relator's daughters, and the substance of what was said between the teachers and said pupils previous to and at the time of their suspension. The referee made his report on the 30th day of November, which contains the testimony of the principal and two of his associates and of three of the pupils, including the relator's children. The principal testified that after he learned that the relator's children had taken the poem to the printing office, "I then told them that their penalty is that you are suspended until you apologize and pay 40 cents each." In the apology, "they were simply to admit that they did a wrong thing, that they were sorry for it, and if they came back to school they should promise to be obedient students." The other witnesses gave substantially the same testimony. Thereafter and on December 24, 1906, the court filed an opinion sustaining the action of the school authorities and in conclusion overruled the relator's demurrer to the return, and dismissed his motion for a peremptory writ of mandamus, with costs. There was no request made on behalf of the relator to withdraw the demurrer and to file an answer, and no formal application was made to amend the petition until after the entry of judgment. No further testimony was taken, and on December 28, 1906, the court made and filed its findings in favor of the

defendants, and directing the dismissal of the petition. From the judgment entered thereon, bearing the same date, this appeal is taken. Thereafter and at a special term of said court, and on the 31st day of January, 1907, a petition theretofore filed on behalf of the relator, based on the evidence taken before the referee, asking leave to amend the petition by adding the words "and pay forty cents each," in their proper place, relating to the penalty imposed at the time of the suspension, came on to be heard, and was denied by the court. There was an exception to the order, but no appeal has been taken therefrom.

BASHFORD, J. (after stating the facts as above). The procedure adopted in determining the issues presented by the pleadings in this action was informal and irregular and can not be approved. The demurrer to the return raised an issue of law, which should first have been disposed of, and, if overruled, leave should have been given to the relator, if he so desired, to withdraw the same and amend his petition, or to interpose an answer if an issue of fact was to be presented. The court and the attorneys for the respective parties evidently treated the demurrer as an answer to the return, as a consent order was entered referring the only controverted issue to a referee to report the testimony. There was no material conflict in the evidence, and upon the report of the referee the court filed an opinion determining the issues of law and fact in favor of the respondents, and overruling the relator's demurrer to the return, and denying his motion for peremptory writ of mandamus. Formal findings were made in accordance with the opinion, upon which the judgment was entered. This summary method of trial has in the opinion of the court met the substantial ends of justice, and the relator by consenting thereto is in no position to complain.

Error is assigned by the appellant upon the refusal of the court to permit an amendment to the petition setting up the requirement of the school authorities that the suspended pupils should pay a penalty of 40 cents each as a condition of reinstatement. Formal application to amend was not made until after judgment, and there is no appeal from the order denying the same. The appeal being from the judgment, the subsequent order is not reviewable upon this record. (Bank of Commerce *v.* Elliott, 109 Wis. 648, 85 N. W. 417.) As there was no conflict in the testimony on this subject, the variance between the pleading and the proof was not material, and the court might have found the fact in accordance with the evidence, or have ordered an amendment to the petition. Section 2670, Stat. 1898. The court did consider the proof with respect to this penalty and very properly suggested in the opinion that no such condition should be attached to the reinstatement of the pupils. It has been held that a school board has no power to make or enforce a rule requiring pupils under penalty of suspension to pay damages for school property accidentally or negligently injured or destroyed. (Perkins *v.* School Board, 56 Iowa, 476, 9 N. W. 356; Hollman *v.* School District, 77 Mich. 605, 43 N. W. 996, 6 L. R. A. 534.)

We are not called upon to approve the practical wisdom displayed by the school authorities in dealing with the hasty conduct of thoughtless school children, prompted by an older mate, and abetted by the publisher of the paper, or to justify the strong resentment that must have prompted the relator in appealing to the courts for redress. The exercise of a little charity, forbearance, and good nature might have avoided the controversy, which must have been attended with more or less serious consequence to the suspended pupils as well as to the school, and to the litigants here represented. But the cause is before us for decision, and must be treated like any other lawsuit.

The remaining assignments of error relate to the power of the school authorities to suspend the offending pupils for the misconduct, which was established by the undisputed evidence. The authority to suspend the pupils from the privileges of the school is denied by the appellant, unless the offense was a violation of some rule prescribed by the board, or involved moral turpitude, or was committed during school hours in the schoolroom, or in the presence of the master and other pupils. In support of this proposition counsel refer to Board of Education *v.* Purse, 101 Ga. 422, 28 S. E. 896, 41 L. R. A. 593, 65 Am. Stat. Rep. 312; Murphy *v.* Board of Directors, 30 Iowa, 429; and Dritt *v.* Snodgrass, 66 Mo. 286, 27 Am. Rep. 343. The decision of the Georgia court has no direct application. It was there held that the school board might suspend children who had not been guilty of any violation of the rules of the school, but whose mother, undertaking to call in question the discipline of the teacher over one of the children, entered the schoolroom during school hours, and in the presence of the pupils there assembled used offensive and insulting language to such teacher. Dritt *v.* Snodgrass, supra, is readily distinguishable. There the

school board had made a rule that no pupil should during the school term attend a social party, and a pupil by the permission of his parents violated the rule and was expelled. The court held that in prescribing the foregoing rule the board had gone beyond its power and invaded the rights of the parents. Murphy *v.* Board of Directors, 30 Iowa, 429, is directly in point, and supports the proposition stated by the appellant, but the decision is made to turn upon the extent of the power conferred by statute on boards of school directors. The statute provided that the directors should have power to dismiss pupils from school for *gross immorality or for persistent violation of the regulations of the school;* and it was also made their duty to aid the teacher in establishing and enforcing rules for the government of the schools. The words italicized are so written in the opinion as manifesting the power which may be exercised by the board. The plaintiff in that case was not charged with immorality or the violation of any regulation of the school. It is said in the opinion: "The statute does not authorize the board of directors to suspend pupils for acts tending to destroy the peace and harmony of the school, or inciting insubordination in others, or for ridicule of the directors, in the absence of any regulation prohibiting such acts." Section 439, Stat. 1898, confers broader power upon such boards; it authorizes them to make all rules needful for the government of the school, and to suspend any pupil for noncompliance with the rules made by themselves or by the teacher with their consent. But it is urged that in the instant case no rule had been prescribed by the board or by the teacher relating to the misconduct complained of. But that contention is fairly met by the decision of this court in State ex rel, Burpee *v.* Burton, 45 Wis. 150, 30 Am. Rep. 706.

The case last cited was an action of mandamus to compel the reinstatement of a pupil in the school who had been guilty of misconduct, which was of itself not a violation of any rule prescribed by the board or by the principal. It is said in the opinion: "While the principal or teacher in charge of a public school is subordinate to the school board or board of education of his district or city, and must enforce rules and regulations adopted by the board for the government of the school, and execute all its lawful orders in that behalf, he does not derive all his power and authority in the school and over his pupils from the affirmative action of the board. He stands for the time being in loco parentis to his pupils, and because of that relation he must necessarily exercise authority over them in many things concerning which the board may have remained silent. In the school, as in the family, there exist on the part of the pupils the obligations of obedience to lawful commands, subordination, civil deportment, respect for the rights of other pupils, and fidelity to duty. These obligations are inherent in any proper school system, and constitute, so to speak, the common law of the school. Every pupil is presumed to know this law, and is subject to it, whether it has or has not been reenacted by the district board in the form of written rules and regulations. Indeed, it would seem impossible to frame rules which would cover all cases of insubordination and all acts of vicious tendency which the teacher is liable to encounter daily and hourly." While the offense for which the pupil was suspended is not stated in the Burpee case, it was apparently committed in the schoolroom and in the presence of the teacher, and hence it may be urged that the two cases are distinguishable. We have been referred to no decision directly holding that the school authorities can suspend a pupil for misconduct after school hours, unless the offense is a violation of established rules, or is committed in the schoolhouse or upon the school grounds, or in the presence of the master and other pupils. There is abundant authority, however, that the school board or the teacher may make rules to govern the conduct of the pupils after school hours, and punish a violation thereof by suspension from attendance upon school. (Deskins *v.* Gose, 85 Mo. 485, 55 Am. Rep. 387; Hutton *v.* State, 23 Tex. App. 386, 5 S. W. 122, 59 Am. Rep. 776; Wayland *v.* Hughes, 43 Wash. 441, 86 Pac. 642, 7 L. R. A. (N. S.) 352; Kinzer *v.* Directors, 129 Iowa, 441, 105 N. W. 686, 3 L. R. A. (N. S.) 496; Jones *v.* Cody, 132 Mich. 13, 92 N. W. 495, 62 L. R. A. 160.)

It is clear, therefore, that a rule might have been adopted by the school authorities to meet the situation here presented. This court in the quotation already made from the opinion in the Burpee case recognizes certain obligations on the part of the pupil, which are inherent in any proper school system, and which constitute the common law of the school, and which may be enforced without the adoption in advance of any rules upon the subject. This court therefore holds that the school authorities have the power to suspend a pupil for an offense committed outside of school hours and not in the presence of the

teacher which has a direct and immediate tendency to influence the conduct of other pupils while in the schoolroom to set at naught the proper discipline of the school, to impair the authority of the teachers, and to bring them into ridicule and contempt. Such power is essential to the preservation of order, decency, decorum, and good government in the public schools.

The school authorities considered the misconduct for which the pupils were suspended such as to have a direct and injurious effect upon the good order and discipline of the school. The relator's children were instrumental in causing the publication of the poem in a newspaper, which, supposedly, found its way into the homes of many of the children attending the high school, and who would be as much influenced thereby as if the writing had been printed and posted in the schoolroom, or there circulated and read. The teachers are especially familiar with the disposition and temper of the children under their charge and the effect which such a publication would probably have upon the good order and discipline of the school. The school authorities must necessarily be invested with a broad discretion in the government and discipline of the pupils, and the courts should not interfere with the exercise of such authority unless it has been illegally or unreasonably exercised. The trial court has found that the act complained of does not evince an abuse of discretion on the part of the teachers, but rather an earnest desire to counsel, admonish, and discipline the pupils for their own good as well as for the good of the school. That conclusion is supported by the testimony and is here approved. This court is not called upon to decide as to the wisdom of the action of the school authorities, but only as to their jurisdiction within proper limits.

The judgment of the court below is affirmed.

TEACHERS' SALARIES.

XIII. Pennsylvania.

[Houston *v.* Central Board of Education of Pittsburg (Supreme Court of Pennsylvania, January 6, 1908), 68 A., 1036.]

Bill by James W. Houston against the Central Board of Education of Pittsburg for an injunction.

The following is the opinion of Evans, J., in the court below:

"The plaintiff, a taxpayer of the city of Pittsburg, files this bill against the Central Board of Education of the City of Pittsburg, alleging that in the appointment of a commission known as the 'teachers' salary commission' and the maintenance of said commission and the payment of salaries of certain of the teachers of the said districts of the city of Pittsburg, in accordance with the recommendation of said commission, the defendant has transcended its authority, and asking that it be restrained in the premises.

"Findings of fact.

"The facts in this case are not in dispute. There was no testimony taken at the trial of the case, and all the material allegations of the plaintiff's bill are admitted in the answer, and we have found the undisputed facts in the case by the approval of the requests of the plaintiff for findings of fact, and refer to them and to the bill for the facts in the case.

"Conclusions of law.

"In the month of December, 1904, the defendant, the Central Board of Education of the City of Pittsburg, by resolution, divided the teachers of the subdistrict schools below the eighth grade into two classes, to be known as 'Class A' and 'Class B,' and fixed the salary of Class A at various amounts, dependent upon the number of years' experience had by the teacher, making the salary for above seven years' experience $800 per annum, and fixed the salary of the teachers in Class B at $900 per annum. The requisites of enrollment in Class B

were, first, the teacher shall have taught seven annual terms of ten months each; second, they shall hold a permanent certificate issued by the State of Pennsylvania; third, they shall be recommended to the commission by the board of directors of the subdistrict in which they are employed at the time of the application, and said recommendation shall have the approval of the principal and shall be indorsed by a commission known as the 'teachers' salary commission' upon an investigation and examination made by it. The above is, in substance, the acts of the defendant which the plaintiff alleges are illegal.

"The defendant is a creature of the legislature, and, unless the powers assumed by it in the premises are authorized by the legislature, then it has no right to expend the public money in the furtherance of the object to be obtained by the exercise of these powers. The act of February 12, 1869 (P. L., 150), creating the Central Board of Education of Pittsburg, and determining its powers, is very specific, and goes into detail in fixing the powers of the central board, both as respects the high school and the subdistrict schools, and the only power or control which the Central Board of Education may exercise with reference to the teachers of the subdistrict schools is found in the twenty-seventh section of the act, which provides 'That the central board shall have power and authority to determine upon the number of teachers in the subdistrict schools, schools for children of color and professors and teachers in the high school, and to fix and pay the salaries of all of said professors and teachers.' Another section gives it the powers to appoint and to dismiss professors and teachers in the high school, but as to the subdistrict schools this authority is given to the local board.

"It is under the power to fix and pay the salaries of the teachers of the subdistrict schools that the central board of education assumes to maintain the salary commission. The salary commission was appointed by a resolution of the central board of education in the month of December, 1904, and the paragraph which embodies the real work of that commission is as follows: 'The commission shall have the following powers and duties: * * * (b) To conduct such investigation at such times and in such manner as may be decided by the commission and as may be deemed necessary that a just conclusion may be reached on the proficiency and progressive spirit of the applicant in her profession.' It will be observed that there is no standard fixed by the school board, the attainment of which will determine the question of the salary to be paid to the teacher. There is no direction as to the manner in which the examination of the teacher, in order to determine her proficiency and progressive spirit, is to be conducted. The entire matter is left to the discretion of the commission created by the central board of education, without a rule to guide them or to bind them, and the report of the commission is final and conclusive, both upon the applicant and the central board.

"Paragraph 'c' of the powers of the commission is 'to report to the various subdistrict boards from whose corps of teachers applications have been received the names of the teachers who have been enrolled in Class B;' paragraph 'd,' 'to report to the secretary of the central board of education, before the 15th of September in each year, the names of such teachers as have been enrolled in Class B during the year.' It will be observed that the commission enrolls the teachers in Class B and Class A without reference to the will of the local board or of the central board, without consulting either, and simply reports the result of its conclusion to those boards. The fixing of the salaries of teachers on the basis of the report of this commission is certainly the fixing of those salaries by proxy, which was condemned by the supreme court of our State in Delano Land Company's appeal, 103 Pa., 347. Mr. Justice Trunkey, in delivering the opinion of the court, said: 'Doubtless the directors believed it for the interest of the district to employ Noonan to perform many of their own duties and some of the duties of the county superintendent in relation to the fifteen schools widely scattered over a large township. The directors honestly arranged to supervise, grade, and visit the schools by proxy. But their good faith does not stand as authority for employing a superintendent for the district. The provisions of the law may be inadequate to the needs of the district because the county superintendent has too much to do and the directors are indisposed to do all that is required of them. If so, the power that made the law alone can remedy its defects.' We think the decision of that case governs this one. The power to fix the salaries is in the central board of education. It has a discretion

which must be exercised by it and can not be delegated to a commission, and the payment of salaries to this commission and the expenses of its maintenance and operation and the payment of salaries based upon the report made by it are without the power of the central board and contrary to law. To the board of directors of the subdistrict schools is given the power to elect the teachers, to supervise their conduct during their incumbency, and to discharge them for reasons specified in the act of assembly. Necessarily connected with these powers is the duty to pass upon their qualifications as teachers before their election, the efficiency of their work during their incumbency, and their term of service in the subdistrict schools. All these are given necessarily to the directors of the subdistrict schools. None of them are given to the central board of education. If we then give to the central board of education power to fix the salary dependent upon its judgment of the qualifications of the individual teachers, we take away from the directors of the subdistrict schools the gist of their supervision over the individual teachers and their determination of their qualifications and efficiency. Of what good would be the power to elect a teacher by the directors of the subdistrict schools if the central board of education might determine that that teacher was unfit for the position and fix her salary at such an inadequate amount that she could not afford to accept the position?

"It was not intended by the legislature that the power to fix the salaries of the teachers of the subdistrict schools should thus interfere with the powers and duties of the subdistrict board; but the evident intention is to fix such a schedule of salaries that the directors of the various subdistricts may know from their examination of the qualifications of the teacher, her experience, her probable efficiency in the school, the position to which they would elect her, the exact salary which she shall get upon the assumption of her duties. And this is the interpretation which the central board of education has placed upon the authority given it to fix salaries from its creation up until December, 1904, and it was in pursuance of this interpretation of the act of assembly that it fixed the salaries of the teachers of the subdistrict schools.

"(1) The plaintiff has standing to maintain this bill.

"(2) The creation and maintenance of the commission known as the 'teachers' salary commission' by the defendant is without authority of law.

"(3) The payment of salaries and expenses of said commission by the defendant was unlawful.

"(4) The fixing of the salaries by the defendant of the teachers of the subdistrict schools below the eighth grade and above seven years' experience, in accordance with the resolution of December, 1904, was not an exercise of the power given to it to fix the salaries of the teachers of the subdistrict schools, and was, therefore, unlawful and void.

"Decree.

"And now, September 22, 1906, this cause came on to be further heard at this term and was argued by counsel, and upon consideration thereof it is ordered, adjudged, and decreed as follows, viz:

"(1) The teachers' salary commission referred to in the bill in this case is illegal and has no legal right to exercise the powers purporting to be conferred upon it under the resolution adopted by the defendant and referred to in said bill.

"(2) The defendant, the central board of education of the city of Pittsburg, its officers, members, and agents, are hereby enjoined and restrained from paying out any funds, by way of salary, expense, or otherwise, to the members of or on account of said teachers' salary commission.

"(3) The defendant and the members thereof are hereby ordered to resume and exercise the power and duty of fixing the salaries of teachers of the subdistrict schools of the city of Pittsburg in accordance with the statute in such case made and provided."

Argued before Fell, Brown, Mestrezat, Potter, Elkin, and Stewart, J. J.

PER CURIAM. The decree entered in this case is affirmed on the findings of fact and conclusions of law by the learned judge of the common pleas.

TEACHERS' LICENSES—REVOCATION.

XIV. Indiana.

[STONE, county superintendent, *v.* FRITTS (Supreme Court of Indiana, November 26, 1907), 82 N. E., 792.]

Appeal from circuit court, Owen County; Joseph W. Williams, judge.

Action by Harry Fritts *v.* William H. Stone, county superintendent. From a judgment for plaintiff defendant appeals. Reversed, with directions.

MONTGOMERY, J., appellee, brought this action to enjoin appellant, as county superintendent, from revoking his license to teach school. It appears from the complaint: That appellee is a school-teacher of twenty years' experience, and that on October 16, 1905, while engaged in teaching in Owen County, appellant prepared and filed against him as such teacher the following charge and specifications, to wit: "(1) You have refused without good reason to board in your school community. On this account you are unable to reach your school so as to begin daily school sessions at a reasonable time. (2) You have refused without reason to attend the preliminary township institute and the monthly township institute. (3) You have refused without reason to give regular attendance at the teachers' county institute. (4) You do not make daily preparation necessary for successful teaching." That appellee appeared in response to notice, and such proceedings were had as resulted in the dismissal of such charge, and, on completion of his school term, appellant issued to him a success grade of 92 per cent as a teacher. That afterwards appellee secured from the state superintendent a license to teach for twenty-four months from the 28th day of April, 1906, and on July 5 following appellant notified appellee to appear at his office and make answer to the above charge, and show cause, if any, why his license to teach should not be revoked, and in response thereto appellee appeared in person and by counsel, and caused the hearing to be postponed until July 10th. Appellee further avers that neither of said charges constitutes a cause for the revocation of such license; that appellant has no right or authority to hear and determine the same; that conceding the sufficiency of such charge appellant has no power to hear and determine the same over the objection of appellee; that section 9 of the act of March 3, 1899 (Acts, 1899, p. 245, chap. 143), is unconstitutional; that the charges are untrue and false, and appellant is not an impartial magistrate, and will upon such charge revoke appellee's license to his irreparable damage. The court below overruled appellant's demurrer to the complaint, and the assignment that this ruling was erroneous presents the disputed questions for our decision.

The statute upon which this proceeding was founded reads as follows: "That the county superintendent shall (have) the power to revoke licenses heretofore granted by himself or predecessors or hereafter granted by the state superintendent of public instruction, for incompetency, immorality, cruelty, or general neglect, by the holder, of the business of his school. Due notice of such revocations shall be given in writing by the county superintendent, and an appeal therefrom shall lie to the state superintendent of public instruction, and if the same be taken within five days after notice is given it shall operate as a stay of proceedings until the state superintendent of public instruction shall have passed upon such appeal. The revocation of the license of any teacher shall terminate his employment in the school in which he may have been employed to teach." (Burns' Ann. Stat., 1901, sec. 5905f). It is contended on behalf of appellee that this section of the law contravenes section 12 of article 1 of the state constitution, which provides "that the courts shall be open; and every man for injury done to him in person, property, or reputation, shall have remedy by due course of law;" and also violates section 21 of article 1, which provides that "no man's particular services nor his property shall be taken by law without just compensation;" and violates the provisions of article 3 of the constitution by conferring judicial power upon a ministerial officer. This complaint can be held sufficient only upon the ground that the law in question is unconstitutional, or that the proceeding assailed was wholly void for want of jurisdiction over the subject-matter or the person of appellee.

The constitutional questions suggested are not of a serious character. It must be remembered that the establishment and regulation of public schools

rest primarily with the legislative department, and the constitutional provisions invoked by appellee were not designed to trammel the State in the exercise of its general political powers, or to impose upon the courts the duty of interposing between the legislature and the citizen in matters of pure governmental concern. The legislature, in the proper exercise of its power, has provided a general system of licenses for those who desire to engage in teaching, and has authorized the revocation of any such license by county superintendents for certain prescribed causes. A license has none of the elements of a contract, and does not confer an absolute right, but only a personal privilege to be exercised under existing restrictions, and such as may thereafter be reasonably imposed. Statutes authorizing the issuance of such licenses are enacted to promote the good order and welfare of the State, and may ordinarily be repealed at the pleasure of the legislature. (Calder *v.* Kurby, 5 Gray (Mass.), 597; Freleigh *v.* State, 8 Mo., 606; People *v.* New York Tax, etc., Commissioners, 47 N. Y., 501; State *v.* Burgoyne, 75 Tenn., 173, 40 Am. Rep., 60.)

In the case of Doyle *v.* Continental Insurance Company (94 U. S., 535, 540, 24 L. Ed., 148) the Supreme Court of the United States, in speaking of licenses, said: "The correlative power to revoke or recall a permission is a necessary consequence of the main power. A mere license by the State is always revocable." The statute authorizing the granting of a license may provide for its revocation in certain contingencies, and, by accepting and acting under a license, the licensee consents to all conditions imposed thereby, including provisions for its revocation. (21 Am. and Eng. Ency. of Law, 826.) In the case of Commonwealth *v.* Kinsley (133 Mass., 578) the supreme court of Massachusetts said: "A licensee takes his license subject to such conditions as the legislature sees fit to impose, and one of the statutory conditions of this license was that it might be revoked by the selectmen at their pleasure. Such a license is not a contract, and a revocation of it does not deprive the defendant of any property, immunity, or privilege within the meaning of these words in the declaration of rights." The supreme court of Illinois, in discussing the proprietary interest of an individual in a license to retail intoxicating liquors, said: "He received the license on the condition that it might be revoked if he should sell liquor on Sunday, and he thereby assented to the terms and conditions." (Schwuchow *v.* City of Chicago, 68 Ill., 444, 450.)

It is our conclusion that the act in question does not assume to, and does not, deny appellee access to the courts for any injury done to him in his person, property, or reputation, within the meaning of section 12, article 1, of the state constitution. The enforcement of regulations enacted in the proper exercise of the police power of the State can not be resisted as a taking of private property without compensation in violation of section 21, article 1, of the state constitution. (State *v.* Richcreek, 167 Ind., 217, 77 N. E., 1085; Levy *v.* State, 161 Ind., 251, 68 N. E., 172; City of Aurora *v.* West, 9 Ind., 74.) It is equally well settled that statutes conferring upon a ministerial officer or board power to issue and to revoke licenses are not invalid and do not clothe such tribunals with judicial power, and in granting, refusing, or revoking any such license such tribunal does not exercise judicial power in violation of constitutional provisions. (Spurgeon *v.* Rhodes, 167 Ind., 1, 78 N. E., 228; State *v.* Webster, 150 Ind., 621, 50 N. E., 750, 41 L. R. A., 212.) We accordingly hold the statute above quoted valid and constitutional as against the attack of appellee.

The remaining question is whether, in his complaint, appellee has shown sufficient ground to invoke the aid of a court of equity. In a kindred case the supreme court of New Jersey denied a teacher's right to resort to a court of law, using the following language: "The plaintiff, having accepted an appointment as a teacher under the school law, is bound by all of its provisions, and has barred himself from having the propriety of his dismissal by the local school board reviewed in any tribunal except those specially created by the legislature for the purpose." (Draper *v.* Commissioners of Public Instruction, 66 N. J. Law, 54, 55; 48 Atl., 556.) The rule of estoppel in this State can not be said to be so strict as the New Jersey doctrine in view of the following provisions: "Nothing in this act, however, shall be construed so as to change or abridge the jurisdiction of any court in cases arising under the school laws of this State; and the right of any person to bring suit in any court in any case arising under the school laws shall not be abridged by the provision of this act." (Acts, 1899, p. 242, chap. 143, sec. 4; sec. 5903, Burns' Ann. Stat., 1901.) It is generally accepted doctrine that where a statute or ordinance authorizes the revocation of a license for causes enumerated, such license can not be revoked upon any ground other than one of the causes specified. (21

Am. and Eng. Ency. of Law, 826.) The court of appeals of Kentucky regards the act of a superintendent in revoking a license under the laws of that State as a judicial proceeding, and expressly holds that, if in any case the superintendent is proceeding without jurisdiction, the circuit court has power to restrain the proceeding. (Supt., etc., *v.* Taylor, 105 Ky., 387, 390, 49 S. W., 38.) We are not in accord with the Kentucky court in classing the action of a school superintendent in revoking a license as judicial in the technical meaning of that word, but we do hold that he may revoke only for some statutory cause, and, if attempting to proceed upon grounds wholly outside of the statute, his action would be without jurisdiction, and upon a sufficient showing, a court of equity might intervene to prevent the threatened revocation. If the superintendent is proceeding to hear a charge fairly within the statute, and upon reasonable notice the accused must follow the procedure provided in the school laws, and, if aggrieved by the decision of the county superintendent, prosecute an appeal to the state superintendent. (Moreland *v.* Wynnee (Tex. Civ. App.) 62 S. W., 1093; Harkness *v.* Hutcherson et al., 90 Tex., 383, 38 S. W., 1120; Jackson *v.* Ind. School Dist., 110 Iowa, 313, 81 N. W., 596; Kirkpatrick *v.* Independent School Dist., 53 Iowa, 585, 5 N. W., 750; St. Joseph *v.* Levin, 128 Mo., 588, 31 S. W., 101, 49 Am. Stat. Rep., 577; Carver *v.* School Dist., etc., 113 Mich., 524, 71 N. W,. 859; People *v.* Board of Education, 17 Barb. (N. Y.), 299; McCrea *v.* Pine Twp. School Dist., 145 Pa., 550, 22 Atl., 1040; Roth *v.* Marshall, 158 Pa., 272, 27 Atl., 945.)

Giving appellee's rights under his license the widest effect allowable, the utmost he could ask or exact of the State is that proceedings to revoke such license be made to conform to the law authorizing such revocation. Township and county institutes for teachers are required to be held, their attendance is commanded, and pay provided. (Sections 6009, 6010, Burns's Ann. Stat.) The statute quoted authorizes a teacher's license to be revoked for general neglect of the business of his school. It is manifestly upon this ground that the charge under consideration was predicated. The first specification was not skillfully or aptly phrased, and in itself might not justify the revocation; but the complaint intended, doubtless, was not, as seemingly charged, that appellee, without good reason, refused to board in the school community, but failed to open his school at a reasonable hour because he needlessly boarded at a place remote from the school. This feature of the general charge, so far as we are advised, might have been amended or stricken out upon motion before the county superintendent. A party to a pending proceeding is not entitled to relief by injunction for matter from which he might obtain relief by motion in that proceeding itself. (22 Cyc., 772.) The second and third specifications, as well as the fourth, if true, show a lack of interest in his work and a general neglect of his duty as a teacher and of the business to which his efforts should be directed, and bring the charge within the terms of the statute, and consequently give the appellant jurisdiction over the subject-matter. Jurisdiction over the person of appellee is admitted by the averments of the complaint. In these circumstances, the conditions under which he accepted his license compelled him to submit to the authority of the school officers, and, if aggrieved by the decision of the county superintendent, seek redress by an appeal to the state superintendent of public instruction. These officers are clothed with special powers and charged with the duty of holding these institutes, and of laboring in every practical way to elevate the standard of teaching and to improve the condition of the schools. Judicial officers, howsoever wise, should not hastily usurp their prerogatives and functions and seek to substitute their opinions for the opinions and judgments of men held accountable for results in educational affairs. Tribunals established by law may not infringe upon the jurisdiction of each other; and, as this court said in the case of Board *v.* Markle, 46 Ind., 96: "In the present imperfect state of human knowledge, a power to hear and determine necessarily carries with it a power which makes the determination obligatory, without reference to the question whether it was right or wrong. If this were not so, the judgment or determination of any court would be of no particular value. It might be attacked or avoided at pleasure, upon the ground that the court or judge had committed an error." If questions affecting the competency and general conduct of teachers may be indiscriminately taken from the determination of school tribunals and submitted to courts and juries, learned or unlearned, as they may be, no discipline or harmonious system can be preserved, but the fate of a teacher may be made to depend upon his pronunciation of such words as "Cuba" and "America," as exemplified in the case of Carver *v.* School Dist., supra.

Jurisdiction of the county superintendent being shown, the allegations with respect to his bias and want of judicial capacity are without force. He must answer to the body responsible for his election for the manner in which he discharges his duties so long as he keeps within his legitimate sphere. The complaint is insufficient to invoke equitable relief, and appellant's demurrer thereto for want of facts should have been sustained.

The judgment is reversed, with directions to sustain appellant's demurrer to the complaint.

TRANSPORTATION OF PUPILS.

XV. Massachusetts.

[Interstate Consolidated Street Railway Company *v.* Commonwealth of Massachusetts (United States Supreme Court; argued October 15–16, 1907; decided November 4, 1907), 207 U. S., 79.]

In error to the superior court of the State of Massachusetts to review a conviction of a street-railway company, on appeal from the first district court of Bristol County, in that State, for refusing to transport school children at a reduced rate, exceptions having been heard by the supreme judicial court and overruled. Affirmed.

Mr. JUSTICE HOLMES delivered the opinion of the court.

This was a complaint against the plaintiff in error for refusing to sell tickets for the transportation of pupils to and from the the public schools at one-half the regular fare charged by it, as required by Massachusetts Revised Laws, chapter 112, section 72. At the trial the railway company admitted the fact, but set up that the statute was unconstitutional, in that it denied to the company the equal protection of the laws and deprived it of its property without just compensation and without due process of law. In support of this defense it made an offer of proof which may be abridged into the propositions that the regular fare was 5 cents; that during the last fiscal year the actual and reasonable cost of transportation per passenger was 3.86 cents, or, including taxes, 4.10 cents; that pupils of the public schools formed a considerable part of the passengers carried by it, and that the one street railway expressly exempted by the law transported nearly one-half the passengers transported on street railways and received nearly one-half the revenue received for such transportation in the Commonwealth. The offer was stated to be made for the purpose of showing that the plaintiff in error could not comply with the statute without carrying passengers for less than a reasonable compensation and for less than cost. The offer of proof was rejected, and a ruling that the statute was repugnant to the fourteenth amendment was refused. The plaintiff in error excepted and, after a verdict of guilty and sentence, took the case to the supreme judicial court. (187 Mass., 436.) The court overrules the exceptions, whereupon the plaintiff in error brought the case here.

This court is of opinion that the decision below was right. A majority of the court considers that the case is disposed of by the fact that the statute in question was in force when the plaintiff in error took its charter, and confines itself to that ground. The section of the Revised Laws (chap. 112, sec. 72) was a continuation of Statutes, 1900, chapter 197. (Rev. Laws, chap. 226, sec. 2, Commonwealth *v.* Anselvich, 186 Mass., 376, 379, 380.) The act of incorporation went into effect March 15, 1901. (Stat., 1901, chap. 159.) By the latter act the plaintiff in error was "subject to all the duties, liabilities, and restrictions set forth in all general laws now or hereafter in force relating to street railway companies, except," etc., section 1. See also section 2. There is no doubt that, by the law as understood in Massachusetts, at least, the provisions of Revised Laws, chapter 112, section 72; Statutes, 1900, chapter 197, if they had been inserted in the charter in terms, would have bound the corporation, whether such requirements could be made constitutionally of an already existing corporation or not. The railroad company would have come into being and have consented to come into being subject to the liability and could not be heard to complain. (Rockport Water Co. *v.* Rockport, 161 Massachusetts, 279; Ashley

v. Ryan, 153 U. S., 436, 443; Wight v. Davidson, 181 U. S., 271, 377; Newburyport Water Co. *v.* Newburyport, 193 U. S., 561, 679.)

If the charter, instead of writing out the requirements of Revised Laws 112, section 72, referred specifically to another document expressing them, and purported to incorporate it, of course the charter would have the same effect as if it itself contained the words. If the document was identified, it would not matter what its own nature or effect might be, as the force given to it by reference and incorporation would be derived wholly from the charter. The document, therefore, might as well be an unconstitutional as a constitutional law. See Commonwealth *v.* Melville (160 Mass., 307, 308). But the contents of a document may be incorporated or adopted as well by generic as by specific reference, if only the purport of the adopting statute is clear. (Corry *v.* Baltimore, 196 U. S., 466, 477. See Purdy *v.* Erie R. R. Co., 162 N. Y., 42.)

Speaking for myself alone, I think that there are considerations on the other side from the foregoing argument that make it unsafe not to discuss the validity of the regulation apart from the supposition that the plaintiff in error has accepted it. See W. W. Cargill Co. *v.* Minnesota (180 U. S., 452, 468). Therefore I proceed to state my grounds for thinking the statute constitutional irrespective of any disabilities to object to its terms. The discrimination alleged is the express exception from the act of 1900 of the Boston Elevated Railway Company and the railways then owned, leased, or operated by it. But, in the first place, this was a legislative adjudication concerning a specific road, as in Wight *v.* Davidson (181 U. S., 371); not a general prospective classification, as in Martin *v.* District of Columbia (205 U. S., 135, 138). A general law must be judged by public facts, but a specific adjudication may depend upon many things not judicially known. Therefore the law must be sustained on this point unless the facts offered in evidence clearly show that the exception can not be upheld. But the local facts are not before us, and it follows that we can not say that the legislature could not have been justified in thus limiting its action. (Covington & Lexington Turnpike Road Co. *v.* Sandford, 164 U. S., 578, 579, 598.) In the next place, if the only ground were that the charter of the elevated railway contained a contract against the imposition of such a requirement, it would be attributing to the fourteenth amendment an excessively nice operation to say the immunity of a single corporation prevented the passage of an otherwise desirable and wholesome law. It is unnecessary to consider what would be the effect on the statute by construction in Massachusetts if the exception could not be upheld. For, if in order to avoid the Scylla of unjustifiable class legislation the law were read as universal (see Dunbar *v.* Boston & Providence R. R. Co., 181 Mass., 383, 386), it might be thought by this court to fall into the Charybdis of impairing the obligation of a contract with the elevated road, although that objection might perhaps be held not to be open to the plaintiff in error here. (Hatch *v.* Reardon, 204 U. S., 152, 160.)

The objection that seems to me, as it seemed to the court below, most serious is that the statute unjustifiably appropriates the property of the plaintiff in error. It is hard to say that street railway companies are not subjected to a loss. The conventional fare of 5 cents presumably is not more than a reasonable fare, and it is at least questionable whether street railway companies would be permitted to increase it on the ground of this burden. It is assumed by the statute in question that the ordinary fare may be charged for these children or some of them when not going to or from school. Whatever the fare, the statute fairly construed means that children going to or from school must be carried for half the sum that would be reasonable compensation for their carriage, if we looked only to the business aspect of the question. Moreover, while it may be true that in some cases rates or fares may be reduced to an unprofitable point in view of the business as a whole or upon special considerations (Minneapolis & St. Louis R. R. Co. *v.* Minnesota, 186 U. S., 256, 267), it is not enough to justify a general law like this, that the companies concerned still may be able to make a profit from other sources, for all that appears. (Atlantic Coast Line R. R. Co. *v.* North Carolina Corporation Commission, 206 U S., 1, 24, 25.)

Notwithstanding the foregoing considerations, I hesitatingly agree with the state court that the requirement may be justified under what commonly is called the "police power." The obverse way of stating this power in the sense in which I am using the phrase would be that constitutional rights, like others, are matters of degree, and that the great constitutional provisions for the protection of property are not to be pushed to a logical extreme, but must be taken to permit the infliction of some fractional and relatively small losses without

compensation, for some, at least, of the purposes of wholesome legislation. (Martin *v.* District of Columbia, 205 U. S., 135, 139; Camfield *v.* United States, 167 U. S., 518, 524.)

If the fourteenth amendment is not to be a greater hamper upon the established practices of the States in common with other Governments than I think was intended, they must be allowed a certain latitude in the minor adjustments of life, even though by their action the burdens of a part of the community are somewhat increased. The traditions and habits of centuries were not intended to be overthrown when the amendment was passed.

Education is one of the purposes for which what is called the "police power" may be exercised. (Barbier v. Connolly, 113 U. S., 27, 31.) Massachusetts always has recognized it as one of the first objects of public care. It does not follow that it would be equally in accord with the conceptions at the base of our constitutional law to confer equal favors upon doctors or workingmen or people who could afford to buy 1,000-mile tickets. Structural habits count for as much as logic in drawing the line. And, to return to the taking of property, the aspect in which I am considering the case, general taxation to maintain public schools is an appropriation of property to a use in which the taxpayer may have no private interest, and, it may be, against his will. It has been condemned by some theorists on that ground. Yet no one denies its constitutionality. People are accustomed to it and accept it without doubt.

The present requirement is not different in fundamental principle, although the tax is paid in kind and falls only on the class capable of paying that kind of tax—a class of quasi public corporations specially subject to legislative control. Thus the question narrows itself to the magnitude of the burden imposed—to whether the tax is so great as to exceed the limits of the police power. Looking at the law without regard to its special operation I should hesitate to assume that its total effect, direct and indirect, upon the roads outside of Boston amounted to a more serious burden than a change in the law of nuisance, for example, might be. See further Williams *v.* Parker (188 U. S., 491). Turning to the specific effect, the offer of proof was cautious. It was simply that a "considerable percentage" of the passengers carried by the company consisted of pupils of the public schools. This might be true without the burden becoming serious. I am not prepared to overrule the decision of the legislature and of the highest court of Massachusetts, that the requirement is reasonable under the conditions existing there, upon evidence that goes no higher than this. It is not enough that a statute goes to the verge of constitutional power. We must be able to see clearly that it goes beyond that power. In case of real doubt a law must be sustained.

Mr. Justice Harlan is of the opinion that the constitutionality of the act of 1900 is necessarily involved in the determination of this case. He thinks the act is not liable to the objection that it denies to the railway company the equal protection of the laws. Nor does he think that it can be held, upon any showing made by this record, to be unconstitutional as depriving the plaintiff in error of its property without due process of law. Upon these grounds alone, and independent of any other question discussed, he joins in a judgment of affirmance. Judgment affirmed.

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O

UNITED STATES BUREAU OF EDUCATION
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STATISTICS OF STATE UNIVERSITIES AND OTHER INSTITUTIONS OF HIGHER EDUCATION PARTIALLY SUPPORTED BY THE STATE

FOR THE YEAR ENDED
JUNE 30, 1908

WASHINGTON
GOVERNMENT PRINTING OFFICE
1909

STATISTICS OF STATE UNIVERSITIES AND OTHER INSTITUTIONS OF HIGHER EDUCATION PARTIALLY SUPPORTED BY THE STATE,

FOR THE YEAR ENDED JUNE 30, 1908.

The list of 82 institutions included in these tables is not sharply defined. In general it includes, in addition to fully organized state and territorial universities, such other institutions of higher education as are supported, at least in part, by the several States. It does not include state normal schools nor high schools. Of the 82 institutions in the list, 51 receive also federal support under the Morrill Act of 1890 and the Nelson amendment of 1907. There are 17 other institutions, not included in the tables, which enjoy the benefit of these congressional appropriations.

Table 1 presents certain items respecting the student body and the teaching force of the institutions enumerated. Table 2 deals with teachers' salaries and with the income of the several institutions, distributed according to its chief sources. Table 3 gives other fiscal items concerning which questions are frequently raised. The incompleteness of Table 3 is due to the fragmentary character of the reports furnished to this office.

TABLE 1.—*Students and teaching force in state universities*

	Location.	Name.	Enrollment of students.				
			Total enrollment, counting none twice.	In liberal arts, including general science.	In engineering.	In agriculture.	In forestry.
			1	2	3	4	5
1	Auburn, Ala	Alabama Polytechnic Institute	617	232	271	42	.....
2	University, Ala	University of Alabama	573	247	49	.....	.....
3	Tucson, Ariz	University of Arizona	237	42	22	.....	.....
4	Fayetteville, Ark	University of Arkansas	1,220	365	225	145	.....
5	Berkeley, Cal	University of California	3,305	1,453	827	132	.....
6	Boulder, Colo	University of Colorado	961	532	271	.....	.....
7	Fort Collins, Colo	State Agricultural College	478	95	108	31	.....
8	Golden, Colo	Colorado School of Mines	349	.....	349	.....	.....
9	Storrs, Conn	Connecticut Agricultural College	257	.....	24	113	.....
10	Dover, Del	State College for Colored Students	118	48	.....	.....	.....
11	Newark, Del	Delaware College	188	26	125	37	.....
12	Gainesville, Fla	University of the State of Florida	103	36	31	4	.....
13	Athens, Ga	University of Georgia	502	291	58	67	.....
14	Atlanta, Ga	Georgia School of Technology	562	.....	377	.....	.....
15	Dahlonega, Ga	North Georgia Agricultural College	253	105	20	74	.....
16	Moscow, Idaho	University of Idaho	419	90	121	4	.....
17	Urbana, Ill	University of Illinois	4,376	803	1,223	437	.....
18	Bloomington, Ind	Indiana University	2,051	1,750	.....	.....	.....
19	Lafayette, Ind	Purdue University	1,905	138	1,402	205	37
20	Ames, Iowa	Iowa State College of Agriculture and Mechanic Arts.	2,383	166	843	448	44
21	Iowa City, Iowa	State University of Iowa	2,315	712	240	.....	9
22	Lawrence, Kans	University of Kansas	2,063	899	479	.....	.....
23	Manhattan, Kans	Kansas State Agricultural College	2,192	129	390	215	.....
24	Lexington, Ky	State University	791	125	314	18	.....
25	Baton Rouge, La	Louisiana State University and Agricultural and Mechanical College.	545	26	134	25	.....
26	Orono, Me	University of Maine	776	121	346	41	38
27	College Park, Md	Maryland Agricultural College	240	17	93	44	.....
28	Amherst, Mass	Massachusetts Agricultural College	252	.....	.....	245	.....
29	Ann Arbor, Mich	University of Michigan	4,554	1,710	1,353	.....	.....
30	East Lansing, Mich	Michigan State Agricultural College	1,191	.....	485	482	26
31	Houghton, Mich	Michigan College of Mines	266	.....	266	.....	.....
32	Minneapolis, Minn	University of Minnesota	4,421	1,690	473	116	.....
33	Agricultural College, Miss.	Mississippi Agricultural and Mechanical College.	1,015	.....	293	155	.....
34	Alcorn, Miss	Alcorn Agricultural and Mechanical College.	542	103	.....	.....	.....
35	University, Miss	University of Mississippi	360	249	19	.....	.....
36	Columbia, Mo	University of Missouri	2,536	877	696	328	.....
37	Bozeman, Mont	Montana College of Agriculture and Mechanic Arts.	419	40	73	16	.....
38	Butte, Mont	Montana State School of Mines	76	.....	76	.....	.....
39	Missoula, Mont	University of Montana	291	124	60	.....	.....
40	Lincoln, Nebr	University of Nebraska	3,237	1,218	436	483	29
41	Reno, Nev	University of Nevada	347	68	97	1	.....
42	Durham, N. H	New Hampshire College of Agriculture and Mechanic Arts.	196	22	124	50	.....
43	New Brunswick, N. J	Rutgers College	390	71	77	45	.....
44	Agricultural College, N. Mex.	New Mexico College of Agriculture and Mechanic Arts.	321	19	33	19	.....
45	Albuquerque, N. Mex	University of New Mexico	156	56	.....	.....	.....
46	Socorro, N. Mex	New Mexico School of Mines	34	.....	20	.....	.....
47	Ithaca, N. Y	Cornell University	3,734	820	1,638	348	.....
48	Chapel Hill, N. C	University of North Carolina	790	467	40	.....	.....
49	Greensboro, N. C	Agricultural and Mechanical College for the Colored Race.	194	40	5	114	.....
50	West Raleigh, N. C	North Carolina College of Agriculture and Mechanic Arts.	470	.....	276	60	.....
51	Agricultural College, N. Dak.	North Dakota Agricultural College	986	25	47	28	.....
52	University, N. Dak	State University and School of Mines	644	125	79	.....	.....
53	Athens, Ohio	Ohio University	942	130	110	.....	.....
54	Columbus, Ohio	Ohio State University	2,256	630	879	217	.....

and other state-aided institutions of higher education.

Enrollment of students.												Teaching force.			
					In professional departments.					In summer schools.					
In domestic science.	In training courses for teachers.	In preparatory department.	In all special courses.	In graduate studies.	Law.	Medicine.	Dentistry.	Pharmacy.	Veterinary surgery.	Total.	Number of these in regular college work.	Not teaching in professional or preparatory departments.	Additional in professional departments.	Additional in preparatory department.	
6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
.....	.....	72	.....	.....	.....	.....	.....	.....	19	.....	.....	45	7	1	1
.....	.....	.....	.....	4	67	170	.....	23	.....	.....	.....	23	26	.....	2
.....	.....	167	.....	6	.....	.....	.....	.....	.....	.....	.....	9	9	16	3
24	119	420	62	.....	55	175	.....	.....	24	.....	.....	60	82	89	4
.....	536	.....	.....	319	69	26	69	45	.....	.....	.....	180	81	.....	5
.....	.....	.....	.....	37	83	52	.....	.....	.....	129	.....	73	67	.....	6
7	.....	75	162	.....	.....	.....	.....	.....	.....	.....	.....	49	.....	9	7
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	18	.....	.....	8
27	.....	.....	.....	.....	.....	.....	.....	.....	.....	94	1	21	.....	.....	9
.....	8	62	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	3	10
.....	.....	.....	36	1	.....	.....	.....	.....	.....	.....	.....	22	.....	.....	11
.....	1	31	.....	3	.....	.....	.....	.....	.....	.....	.....	16	.....	3	12
.....	.....	.....	.....	.....	75	.....	.....	15	.....	323	2	33	6	.....	13
.....	.....	185	.....	.....	.....	.....	.....	.....	.....	.....	.....	37	.....	12	14
42	10	140	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	6	15
8	46	174	.....	2	.....	.....	.....	.....	.....	.....	.....	24	12	4	16
102	.....	377	.....	203	186	476	76	259	.....	367	.....	351	151	13	17
.....	.....	.....	.....	92	204	68	.....	.....	.....	729	.....	75	17	.....	18
13	.....	.....	35	61	.....	.....	.....	89	.....	.....	.....	135	4	.....	19
72	.....	232	.....	14	.....	.....	.....	.....	108	643	.....	120	4	20	20
.....	370	.....	177	247	213	309	181	54	.....	344	344	78	72	.....	21
.....	.....	.....	.....	102	186	101	.....	94	.....	289	289	100	17	.....	22
320	.....	662	.....	25	.....	.....	.....	.....	55	.....	.....	92	.....	7	23
20	19	115	208	29	.....	.....	.....	.....	.....	264	120	52	3	5	24
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	27	.....	11	25
.....	15	.....	29	21	97	.....	.....	21	.....	93	36	58	11	.....	26
.....	.....	35	.....	3	.....	.....	.....	.....	.....	.....	.....	21	.....	2	27
.....	.....	.....	42	7	.....	.....	.....	.....	.....	210	.....	40	.....	.....	28
.....	.....	.....	.....	216	791	472	168	101	.....	1,070	.....	392	.....	.....	29
198	.....	.....	206	6	.....	.....	.....	.....	.....	.....	.....	86	.....	8	30
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	34	.....	.....	31
.....	32	808	.....	107	486	172	176	99	.....	1,040	262	115	66	48	32
.....	.....	326	64	4	.....	.....	.....	.....	.....	356	.....	37	.....	6	33
125	.....	439	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	.....	16	34
.....	.....	.....	.....	.....	53	17	.....	.....	.....	185	.....	19	6	.....	35
54	318	.....	.....	118	237	65	.....	.....	.....	452	142	92	94	.....	36
31	.....	109	146	4	.....	.....	.....	.....	.....	.....	.....	31	.....	2	37
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	9	.....	38
.....	.....	74	13	7	.....	.....	.....	.....	.....	.....	.....	30	.....	.....	39
20	184	.....	136	130	183	127	33	.....	.....	258	258	25	2	.....	40
40	19	161	.....	1	.....	.....	.....	.....	.....	.....	.....	24	.....	10	41
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	30	.....	.....	42
.....	.....	135	59	3	.....	.....	.....	.....	.....	.....	.....	35	.....	11	43
5	.....	185	25	5	.....	.....	.....	.....	.....	.....	.....	28	.....	3	44
.....	.....	100	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	6	45
.....	.....	14	.....	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	1	46
.....	.....	.....	.....	249	206	320	.....	.....	82	841	372	208	340	.....	47
.....	.....	.....	.....	23	99	114	.....	47	.....	81	45	64	.....	30	48
.....	38	80	.....	.....	.....	.....	.....	.....	.....	.....	103	12	.....	1	49
.....	15	.....	104	15	.....	.....	.....	.....	.....	.....	.....	42	.....	.....	50
.....	.....	854	.....	6	.....	.....	.....	66	.....	.....	.....	22	2	33	51
.....	94	213	.....	6	80	20	.....	.....	.....	271	24	34	25	7	52
.....	152	578	.....	6	.....	.....	.....	.....	.....	678	250	38	5	12	53
94	28	.....	.....	60	138	.....	.....	63	.....	425	.....	140	.....	20	54

TABLE 1.—*Students and teaching force in state universities*

	Location.	Name.	Enrollment of students.				
			Total enrollment, counting none twice.	In liberal arts, including general science.	In engineering.	In agriculture.	In forestry.
			1	2	3	4	5
55	Oxford, Ohio	Miami University	1,077	345	.....	.....	.....
56	Norman, Okla	University of Oklahoma	743	194	53	.....	.....
57	Stillwater, Okla	Oklahoma Agricultural and Mechanical College.	1,064	94	112	108	.....
58	Corvallis, Oreg	Oregon State Agricultural College	1,156	.....	346	106	10
59	Eugene, Oreg	University of Oregon	714	304	105	.....	.....
60	State College, Pa	Pennsylvania State College	1,151	98	715	70	18
61	Kingston, R. I	Rhode Island College of Agriculture and Mechanic Arts.	153	22	61	18	.....
62	Charleston, S. C	South Carolina Military Academy	168	.....	.....	.....	.....
63	Clemson, S. C	Clemson Agricultural College	690	13	333	202	.....
64	Columbia, S. C	University of South Carolina	280	192	.....	.....	.....
65	Brookings, S. Dak	South Dakota Agricultural College	525	48	74	19	.....
66	Rapid City, S. Dak	South Dakota State School of Mines	93	.....	48	.....	.....
67	Vermilion, S. Dak	University of South Dakota	424	.....	41	.....	.....
68	Knoxville, Tenn	University of Tennessee	755	156	141	136	.....
69	Austin, Tex	University of Texas	1,857	934	315	.....	.....
70	College Station, Tex	Agricultural and Mechanical College of Texas.	623	.....	539	84	.....
71	Logan, Utah	Agricultural College of Utah	687	270	10	233	49
72	Salt Lake City, Utah	University of Utah	853	250	190	.....	.....
73	Burlington, Vt	University of Vermont and Agricultural College.	497	130	179	34	.....
74	Blacksburg, Va	Virginia Polytechnic Institute	567	51	374	59	.....
75	Charlottesville, Va	University of Virginia	788	.....	117	.....	.....
76	Lexington, Va	Virginia Military Institute	318	318	.....	.....	.....
77	Williamsburg, Va	College of William and Mary	238	138	.....	.....	.....
78	Pullman, Wash	State College of Washington	1,244	253	478	122	.....
79	Seattle, Wash	University of Washington	1,596	688	378	.....	.....
80	Morgantown, W. Va	West Virginia University	927	207	136	102	.....
81	Madison, Wis	University of Wisconsin	3,585	1,559	906	680	.....
82	Laramie, Wyo	University of Wyoming	137	29	42	12	.....

and other state-aided institutions of higher education—Continued.

Enrollment of students.												Teaching force.			
In domestic science.	In training courses for teachers.	In preparatory department.	In all special courses.	In graduate studies.	In professional departments.					In summer schools.		Not teaching in professional or preparatory departments.	Additional in professional departments.	Additional in preparatory department.	
					Law.	Medicine.	Dentistry.	Pharmacy.	Veterinary surgery.	Total.	Number of these in regular college work.				
6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
.....	126	103	152	.....	.....	.....	.....	.....	.....	583	.....	54	.....	10	55
.....	.....	251	263	3	.....	15	.....	51	.....	.....	.....	22	13	9	56
.....	135	163	401	.....	.....	.....	.....	.....	.....	.....	.....	31	2	1	57
124	351	141	351	15	.....	.....	.....	.....	.....	63	.....	35	.....	7	58
.....	.....	.....	.....	9	98	88	.....	.....	.....	25	.....	51	42	.....	59
8	.....	81	156	5	.....	.....	.....	.....	.....	.....	.....	112	.....	.....	60
2	.....	18	37	2	.....	.....	.....	.....	.....	.....	.....	23	.....	1	61
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	9	.....	.....	62
.....	.....	82	.....	.....	.....	.....	.....	.....	.....	.....	.....	13	33	1	63
.....	53	.....	.....	.....	35	.....	.....	.....	.....	.....	.....	18	6	.....	64
21	.....	183	152	8	.....	.....	.....	20	.....	.....	190	39	1	2	65
.....	.....	45	.....	.....	.....	.....	.....	.....	.....	.....	.....	14	.....	3	66
.....	49	54	.....	3	56	3	.....	.....	.....	.....	.....	26	3	21	67
36	19	.....	140	5	49	131	46	17	.....	2,087	.....	68	38	.....	68
.....	301	.....	103	32	308	199	.....	48	.....	625	364	62	37	.....	69
.....	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	48	.....	.....	70
100	.....	515	61	2	.....	.....	.....	.....	52	80	9	16	2	45	71
54	177	286	.....	4	22	32	.....	.....	.....	.....	.....	45	5	21	72
.....	.....	.....	10	1	.....	152	.....	.....	.....	.....	.....	43	37	.....	73
.....	.....	40	8	14	.....	.....	.....	.....	.....	21	.....	56	.....	.....	74
.....	.....	.....	.....	33	239	106	.....	.....	.....	908	411	48	45	.....	75
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	340	.....	21	.....	.....	76
.....	100	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	.....	10	77
85	82	375	.....	.....	.....	.....	.....	51	.....	206	.....	66	1	30	78
.....	91	.....	.....	40	128	.....	.....	61	.....	235	64	88	4	.....	79
.....	.....	160	159	16	113	33	.....	.....	.....	282	.....	44	19	5	80
84	73	.....	150	232	157	25	.....	32	.....	661	233	360	.....	.....	81
12	28	25	17	18	.....	.....	.....	.....	.....	.....	41	12	.....	18	82

TABLE 2.—*Teachers' salaries and income in state universities*

	Name.	Teachers' salaries.					
		Maximum salaries.					
		President.	Professor	Associate professor.	Assistant professor.	Instructor.	Tutors and others.
		21	22	23	24	25	26
1	Alabama Polytechnic Institute	$3,200	$2,500	$1,800	$1,600	$900	$300
2	University of Alabama	3,000	1,800	1,800	1,500	1,000	200
3	University of Arizona	4,000	2,100	.....	1,500	1,200	.....
4	University of Arkansas	4,000	2,000	1,400	1,000	750	.....
5	University of California	10,000	5,000	2,700	2,200	1,600	600
6	University of Colorado	5,000	2,500	.....	1,400	1,000	400
7	State Agricultural College, Colorado	.....	.....	.....	.....	.....	.....
8	Colorado School of Mines	5,500	3,000	.....	2,000	1,400	900
9	Connecticut Agricultural College	3,600	3,000	.....	.....	1,300	900
10	State College for Colored Students, Delaware	1,200	480	360	.....	.....	.....
11	Delaware College	3,000	3,000	1,750	1,200	1,000	.....
12	University of the State of Florida	2,750	1,800	.....	1,080	800	480
13	University of Georgia	3,600	3,000	2,000	1,500	1,200	600
14	Georgia School of Technology	.....	.....	.....	.....	.....	.....
15	North Georgia Agricultural College	2,600	1,500	1,200	.....	650	.....
16	University of Idaho	4,000	1,800	1,650	.....	1,300	.....
17	University of Illinois	10,000	4,000	2,300	2,250	1,500	650
18	Indiana University	5,000	2,500	2,000	1,400	1,200	333
19	Purdue University, Indiana	5,000	4,000	1,800	1,500	1,200	500
20	Iowa State College of Agriculture and Mechanic Arts.	5,000	4,000	2,000	1,800	1,200	.....
21	State University of Iowa	6,000	3,400	.....	1,800	1,000	800
22	University of Kansas	6,000	2,200	1,700	1,300	900	500
23	Kansas State Agricultural College	4,000	2,100	.....	1,500	1,100	.....
24	State University, Kentucky	5,000	2,000	1,800	1,500	900	600
25	Louisiana State University and Agricultural and Mechanical College.	3,600	2,200	.....	1,500	800	.....
26	University of Maine	5,000	2,000	1,500	1,200	1,000	500
27	Maryland Agricultural College	3,000	1,800	1,500	1,500	900	.....
28	Massachusetts Agricultural College	4,000	2,600	2,100	2,000	1,300	.....
29	University of Michigan	7,000	3,500	2,200	1,800	1,400	.....
30	Michigan State Agricultural College	5,000	3,000	2,050	1,500	1,200	.....
31	Michigan College of Mines	.....	.....	.....	.....	.....	.....
32	University of Minnesota	7,500	3,500	3,000	2,500	1,800	600
33	Mississippi Agricultural and Mechanical College	3,500	2,000	1,500	1,200	1,000	800
34	Alcorn Agricultural and Mechanical College, Mississippi.	.....	1,200	.....	1,000	500	.....
35	University of Mississippi	5,000	2,500	2,000	1,800	900	600
36	University of Missouri	6,000	4,000	.....	2,000	1,500	900
37	Montana College of Agriculture and Mechanic Arts.	3,500	2,400	1,800	1,500	1,200	500
38	Montana State School of Mines	3,000	3,000	.....	2,000	1,500	.....
39	University of Montana	4,500	4,100	1,700	.....	1,200	1,000
40	University of Nebraska	6,000	3,000	1,800	1,500	1,300	900
41	University of Nevada	3,600	2,400	1,800	1,500	900	.....
42	N. H. College of Agriculture and Mechanic Arts	4,000	2,500	1,600	1,300	1,000	.....
43	Rutgers College, New Jersey	4,000	3,600	1,800	.....	1,800	.....
44	New Mexico College of Agriculture and Mechanic Arts.	3,600	1,900	1,300	.....	1,200	.....
45	University of New Mexico	2,500	1,500	1,200	1,000	800	.....
46	New Mexico School of Mines	2,000	1,500	.....	.....	1,000	.....
47	Cornell University, New York	10,000	5,000	.....	2,000	1,000	900
48	University of North Carolina	4,000	2,000	1,500	.....	1,000	500
49	Agricultural and Mechanical College for the Colored Race, North Carolina.	1,800	1,200	800	720	600	300
50	North Carolina College of Agriculture and Mechanic Arts.	3,000	2,250	.....	1,500	1,500	.....
51	North Dakota Agricultural College	4,800	2,550	1,700	1,600	1,200	800
52	State University and School of Mines, North Dakota.	4,000	2,250	1,800	700	1,500	.....
53	Ohio University	5,000	2,500	1,900	1,500	1,200	1,000
54	Ohio State University	6,000	2,500	1,900	1,700	1,300	800
55	Miami University, Ohio	5,000	2,100	2,000	1,500	1,000	80
56	University of Oklahoma	4,000	2,250	1,500	.....	1,350	900
57	Oklahoma Agricultural and Mechanical College	3,000	2,000	1,400	1,200	1,200	1,000

and other state-aided institutions of higher education.

Teachers' salaries.		Income.							
Houses in addition to salaries.		From productive funds.	Student payments.	From the United States.[a]	Special state appropriation.	Regular state appropriation.	From all other sources.	Grand total for the year.	
President.	Professors.								
27	28	29	30	31	32	33	34	35	
.....	.....	$20,280	$4,112	$39,825	$86,500	$34,700	$8,004	$193,421	1
Yes.	Yes.	37,518	26,123	.....	95,273	78,500	2,500	239,914	2
Yes.	No.	.....	15,196	54,000	20,000	33,000	15,806	138,002	3
.....	.....	3,900	15,950	61,000	50,000	75,000	.....	205,850	4
Yes.	1	221,758	89,803	54,000	174,797	483,589	1,020,286	2,044,233	5
Yes.	.....	.....	21,000	.....	100,000	145,000	11,000	277,000	6
.....	.....	.....	.....	61,944	34,134	69,780	9,934	175,792	7
Yes.	No.	.....	35,701	.....	35,000	84,017	9,364	164,082	8
No.	No.	4,800	30,000	48,750	36,500	26,800	21,103	167,953	9
Yes.	1	.....	5,000	6,000	2,500	.....	.....	13,500	10
No.	No.	4,980	9,252	48,000	.....	.....	.....	62,232	11
.....	.....	.....	8,322	43,994	5,911	19,329	.....	77,556	12
Yes.	.....	26,404	10,835	30,000	50,000	37,500	8,306	163,039	13
.....	.....	.....	51,500	.....	.....	62,500	.....	114,000	14
No.	No.	.....	1,500	2,000	.....	21,500	.....	25,000	15
No.	No.	27,000	.....	54,000	85,000	13,850	2,513	182,363	16
Yes.	No.	40,000	205,961	86,420	596,445	450,000	29,937	1,408,763	17
.....	.....	34,943	14,500	.....	99,475	163,299	10,193	322,410	18
.....	.....	17,000	64,932	54,000	43,403	190,285	58,539	428,159	19
1	8	35,375	52,624	54,000	77,545	376,838	60,110	656,492	20
No.	No.	12,629	70,567	.....	173,500	264,667	51,116	572,479	21
.....	.....	7,200	31,325	.....	121,414	246,000	.....	405,939	22
.....	.....	27,110	14,447	54,000	161,250	140,000	.....	396,807	23
.....	.....	8,645	7,820	49,650	20,000	70,818	3,486	160,419	24
Yes.	No.	.....	13,609	54,346	44,150	25,000	4,072	141,177	25
Yes.	No.	4,000	53,908	54,000	90,000	65,000	12,862	279,770	26
.....	.....	5,797	28,244	54,000	30,000	15,000	11,715	144,756	27
Yes.	No.	14,263	3,494	44,000	47,400	37,838	22,742	169,738	28
Yes.	No.	38,487	322,854	38,487	99,000	520,865	142,704	1,162,397	29
Yes.	.....	.....	29,667	123,712	15,000	116,820	79,405	364,604	30
.....	.....	.....	31,690	.....	75,000	60,000	.....	166,690	31
.....	.....	.....	140,000	110,345	634,912	394,500	145,227	1,424,984	32
Yes.	Yes.	.....	91,308	53,614	112,250	65,946	750	323,868	33
.....	.....	12,592	16,710	14,773	16,000	8,000	.....	68,075	34
Yes.	Yes.	42,000	10,000	.....	64,000	46,000	5,000	167,000	35
Yes.	No.	63,212	54,399	52,125	60,024	368,037	42,400	640,197	36
No.	No.	.....	4,588	62,000	63,500	32,500	.....	162,588	37
.....	.....	.....	760	.....	59,000	30,400	.....	90,160	38
No.	No.	33,444	3,898	.....	30,000	57,555	800	125,697	39
.....	.....	42,000	55,526	54,000	48,750	329,413	45,000	574,689	40
.....	.....	.....	2,800	54,000	30,000	42,500	3,400	132,700	41
Yes.	No.	8,292	3,696	54,000	34,000	13,000	66,960	179,948	42
Yes.	No.	30,677	14,899	54,000	25,000	21,460	36,475	182,511	43
.....	.....	5,129	2,051	54,000	.....	13,586	10,740	85,506	44
.....	.....	4,803	4,376	.....	.....	22,500	.....	31,679	45
No.	No.	.....	300	.....	15,000	15,000	.....	30,300	46
Yes.	.....	428,836	436,035	52,050	87,127	180,000	317,037	1,501,085	47
Yes.	No.	15,485	51,819	.....	25,000	70,000	12,719	175,023	48
.....	.....	.....	5,412	9,900	8,925	10,000	5,089	39,326	49
No.	No.	7,500	55,459	44,100	76,000	32,000	7,325	222,384	50
No.	No.	.....	4,700	99,935	.....	45,669	5,649	155,953	51
Yes.	No.	37,437	17,851	.....	74,000	79,487	2,134	210,909	52
No.	No.	6,604	13,949	92,991	10,294	.....	5,965	129,803	53
Yes.	No.	49,148	55,991	30,000	180,641	353,023	64,693	733,496	54
Yes.	.....	6,276	15,707	.....	72,169	88,450	33,663	216,265	55
.....	.....	.....	9,052	.....	200,000	100,451	.....	309,503	56
.....	.....	3,331	2,060	51,000	.....	30,000	66,089	152,480	57

[a] Includes all federal aid—income from land grants, the Morrill, Hatch, and Adams funds.

TABLE 2.—*Teachers' salaries and income in state universities*

	Name.	Teachers' salaries.					
		Maximum salaries.					
		President.	Professor.	Associate professor.	Assistant professor.	Instructor.	Tutors and others.
		21	22	23	24	25	26
58	Oregon State Agricultural College	$5,000	$2,000	.....	$1,400	$1,400	.....
59	University of Oregon	4,000	2,000	$1,600	1,400	1,000	.....
60	Pennsylvania State College	4,000	3,000	2,000	2,000	1,500	$1,200
61	Rhode Island College of Agriculture and Mechanic Arts.	3,000	2,200	.....	.....	900	.....
62	South Carolina Military Academy	2,500	1,700	.....	1,200	500	.....
63	Clemson Agricultural College, South Carolina	3,500	1,900	1,700	1,500	1,200	900
64	University of South Carolina	3,500	2,000	1,500	1,200	800	500
65	South Dakota Agricultural College	3,200	1,800	1,600	1,200	1,000	450
66	South Dakota State School of Mines	2,800	1,800	.....	.....	1,200	.....
67	University of South Dakota	4,000	1,800	.....	1,200	900	.....
68	University of Tennessee	4,500	2,200	1,600	1,500	1,200	400
69	University of Texas	5,000	3,000	2,400	2,250	1,600	840
70	Agricultural and Mechanical College of Texas	4,000	2,500	1,800	1,500	1,200	.....
71	Agricultural College of Utah	4,000	2,000	1,400	1,300	1,200	900
72	University of Utah	5,000	2,200	2,000	1,600	1,200	.....
73	University of Vermont and State Agricultural College.	3,850	.....	2,200	1,800	1,500	800
74	Virginia Polytechnic Institute	5,000	1,800	1,400	1,200	600	250
75	University of Virginia	5,000	3,300	1,500	1,800	1,000	300
76	Virginia Military Institute	4,000	2,000	.....	800	.....	.....
77	College of William and Mary, Virginia	2,700	1,800	1,200	1,000	600	.....
78	State College of Washington	5,000	2,500	1,800	1,500	1,200	800
79	University of Washington	5,000	2,250	1,800	1,600	1,200	300
80	West Virginia University	4,200	2,500	1,800	1,600	1,200	800
81	University of Wisconsin	7,000	4,000	2,500	2,200	1,400	1,000
82	University of Wyoming	4,000	1,900	.....	1,200	900	.....

and other state-aided institutions of higher education—Continued.

Teachers' salaries.		Income.							
Houses in addition to salaries.		From productive funds.	Student payments.	From the United States.	Special state appropriation.	Regular state appropriation.	From all other sources.	Grand total for the year.	
President.	Professors.								
27	28	29	30	31	32	33	34	35	
.....	.....	$11,350	$8,257	$54,000	$130,000	$44,750	.....	$248,357	58
.....	.....	8,200	5,000	.....	.....	125,000	.....	138,200	59
1	8	.....	95,501	85,020	321,530	.....	$5,000	507,051	60
.....	1	.....	24,406	56,500	60,858	25,000	6,721	173,485	61
Yes.	Yes.	.....	25,000	.....	37,500	25,000	.....	87,500	62
Yes.	Yes.	9,266	65,263	39,000	.....	168,115	7,546	289,190	63
1	11	.....	9,418	.....	10,000	53,438	.....	72,856	64
1	.....	9,007	7,887	72,845	.....	38,000	25,000	152,739	65
No.	No.	1,363	2,606	.....	16,500	31,000	.....	51,469	66
.....	.....	4,380	11,695	.....	36,000	69,500	.....	121,575	67
Yes.	No.	26,303	20,583	54,000	26,000	24,000	16,137	167,023	68
.....	.....	131,903	20,892	.....	.....	105,500	935	259,230	69
Yes.	Yes.	13,280	96,565	55,250	103,200	74,085	4,115	346,495	70
Yes.	3	.....	5,570	61,282	.....	60,000	19,351	146,203	71
No.	No.	19,905	16,749	.....	.....	172,299	735	209,688	72
Yes.	No.	22,818	32,314	63,130	.....	6,000	8,359	132,621	73
Yes.	Yes.	.....	96,369	64,658	34,000	56,667	3,322	255,016	74
Yes.	11	43,681	78,654	.....	33,000	76,667	10,621	242,623	75
Yes.	Yes.	3,341	102,246	.....	.....	36,650	63,398	205,635	76
Yes.	No.	6,428	14,652	.....	10,000	36,719	40,000	107,799	77
.....	.....	10,000	12,957	54,000	370,500	217,254	.....	664,711	78
.....	.....	.....	.....	.....	300,000	202,000	.....	502,000	79
Yes.	No.	6,500	25,525	48,000	35,200	89,500	25,700	220,425	80
Yes.	3	26,912	148,919	54,000	139,875	687,657	108,206	1,165,569	81
.....	.....	4,845	1,035	54,000	16,107	28,144	.....	108,420	82

TABLE 3.—*Other financial statistics of state universities*

	Name.	From the State for support.					From the State for building.		
		Mill tax.			Direct appropriation.		Mill tax.		
		Rate.	Term of years.	Total yield.	Term of years.	Total yield.	Rate.	Term of years.	Total yield.
		36	37	38	39	40	41	42	43
1	Alabama Polytechnic Institute					[b] $56,000			
2	University of Alabama								
3	University of Arizona								
4	University of Arkansas				1	125,000			
5	University of California	1.5/100	(c)	[b] $259,621	(c)	[b] 100,000	5/100		
6	University of Colorado	2/5	(c)	145,000	2	100,000			
7	State Agricultural College, Colorado			[b] 69,780					
8	Colorado School of Mines	1/5	(c)	[b] 84,017					
9	Connecticut Agricultural College				2	53,600			
10	State College for Colored Students, Delaware.								
11	Delaware College								
12	University of the State of Florida								
13	University of Georgia				5	112,500			
14	Georgia School of Technology								
15	North Georgia Agricultural College				2	[b] 20,000			
16	University of Idaho				2	27,700			
17	University of Illinois								
18	Indiana University	1/10	(c)						
19	Purdue University, Indiana	1/10	(c)	161,535	(c)	[b] 28,750			
20	Iowa State College of Agriculture and Mechanic Arts.				(c)	158,000	1/5	5	[b] $125,000
21	State University of Iowa				(c)	[b] 240,500	1/5	5	650,000
22	University of Kansas								
23	Kansas State Agricultural College								
24	State University, Kentucky	1/20	28	42,018	3	15,000			
25	Louisiana State University and Agricultural and Mechanical College.								
26	University of Maine				2	130,000			
27	Maryland Agricultural College								
28	Massachusetts Agricultural College					42,500			
29	University of Michigan	3/8		650,287		9,000			129,422
30	Michigan State Agricultural College	1/10		[b] 173,100					
31	Michigan College of Mines								
32	University of Minnesota	2.5/100	(c)	[b] 220,000	(c)	[b] 165,000			
33	Mississippi Agricultural and Mechanical College.					65,946			
34	Alcorn Agricultural and Mechanical College, Mississippi.								
35	University of Mississippi								
36	University of Missouri								
37	Montana College of Agriculture and Mechanic Arts.				2	82,000			
38	Montana State School of Mines								
39	University of Montana					57,555			
40	University of Nebraska	1	(c)	[b] 329,413		24,875			
41	University of Nevada				2	95,000			
42	New Hampshire College of Agriculture and Mechanic Arts.				2	60,000			
43	Rutgers College, New Jersey								
44	New Mexico College of Agriculture and Mechanic Arts.				1	[b] 16,000			
45	University of New Mexico					[b] 22,500			
46	New Mexico School of Mines								
47	Cornell University, New York				1	[b] 180,000			
48	University of North Carolina								
49	Agricultural and Mechanical College for the Colored Race, North Carolina.					[b] 10,000			
50	North Carolina College of Agriculture and Mechanic Arts.				2	[b] 32,000			
51	North Dakota Agricultural College	1/5	1	45,669					
52	State University and School of Mines, North Dakota.	33/100	(c)	[b] 79,487		29,000			
53	Ohio University	1/35	(c)	[b] 93,000					
54	Ohio State University	16/100	(c)	[b] 358,000					
55	Miami University, Ohio	7/200	(c)	[b] 88,450	(c)				

[a] Census office estimate for 1904.

[b] Yield for 1907–8.

and other state-aided institutions of higher education.

From the State for building.		Total state aid to the institution since its foundation.	Estimated value of the property owned by the institution.			Valuation of all taxable property in the State.		
Direct appropriation.			Grounds.	Buildings.	Equipment.	Assessed valuation.	Estimated true valuation.[a]	
Term of years.	Total amount.							
44	45	46	47	48	49	50	51	
.....	.....	.....	$9,000	$187,781	$111,984	.....	$965,014,261	1
.....	.....	.....	190,000	500,000	140,000	.....	.....	2
2	$40,000	.....	29,000	157,000	82,000	$80,637,500	306,302,305	3
.....	.....	$2,000,000	15,000	350,000	201,000	249,779,108	803,907,972	4
1	[d] 174,797	.....	2,400,296	2,191,144	1,481,275	.....	4,115,491,106	5
.....	.....	.....	160,000	408,000	188,000	376,000,000	1,207,542,107	6
.....	.....	.....	225,000	190,251	131,516	.....	.....	7
.....	.....	.....	94,478	317,341	164,611	.....	.....	8
2	52,500	595,195	25,000	250,000	52,000	696,927,979	1,414,635,063	9
.....	.....	.....	6,000	26,000	1,800	.....	230,260,976	10
.....	.....	.....	45,000	130,000	109,800	.....	.....	11
1	5,911	.....	50,000	150,000	60,000	131,436,593	431,409,200	12
1	50,000	.....	216,000	325,000	51,000	627,532,539	1,167,445,671	13
.....	.....	.....	300,000	300,000	507,500	.....	.....	14
.....	.....	271,500	3,000	52,000	7,500	.....	.....	15
2	170,000	652,015	45,000	177,830	104,015	115,000,000	342,871,863	16
.....	.....	.....	410,000	1,893,500	923,309	1,082,744,083	8,816,556,191	17
.....	.....	.....	36,000	550,400	173,381	.....	3,105,781,739	18
.....	43,403	.....	110,000	758,000	295,000	.....	.....	19
2	123,000	.....	121,608	1,647,006	382,272	658,740,025	4,048,516,076	20
.....	.....	4,429,166	287,450	1,852,573	659,968	.....	.....	21
.....	.....	3,539,226	100,000	1,025,000	230,000	2,451,560,397	2,253,224,243	22
.....	.....	.....	124,000	594,388	305,000	.....	.....	23
1	200,000	1,109,000	465,392	378,405	107,053	800,000,000	1,527,486,230	24
.....	.....	.....	151,040	437,700	106,206	.....	1,032,229,006	25
2	90,000	665,000	50,000	420,000	137,000	410,000,000	775,622,722	26
.....	.....	.....	30,000	200,000	50,000	.....	.....	27
.....	87,532	.....	44,350	371,271	179,272	.....	4,956,578,913	28
.....	.....	4,985,000	370,515	1,783,750	675,788	1,975,000,000	3,282,419,117	29
.....	.....	2,193,375	50,000	650,000	300,000	.....	.....	30
.....	.....	.....	58,500	253,762	226,300	.....	.....	31
.....	579,954	7,342,345	1,197,664	2,325,296	966,324	1,090,078,597	3,343,722,076	32
.....	112,250	.....	60,040	425,633	369,626	.....	688,249,022	33
.....	.....	.....	6,000	200,000	31,000	.....	.....	34
.....	.....	.....	50,000	471,000	160,000	.....	.....	35
.....	100,000	4,147,983	265,206	1,000,000	642,747	1,389,690,319	3,759,597,451	36
2	87,000	362,787	31,000	210,000	117,560	234,000,000	746,311,213	37
.....	.....	.....	4,000	175,000	56,000	.....	.....	38
.....	30,000	.....	60,000	200,000	100,000	.....	.....	39
.....	25,000	4,000,000	325,000	1,000,000	438,000	391,570,720	2,009,563,633	40
2	40,000	1,490,000	108,000	319,188	100,585	85,000,000	220,734,507	41
2	34,000	.....	50,000	332,000	85,000	.....	516,809,204	42
.....	.....	.....	155,000	512,000	174,500	.....	3,235,619,973	43
.....	.....	134,608	46,500	65,900	107,642	51,817,788	332,262,650	44
.....	.....	304,899	10,000	106,000	30,000	.....	.....	45
.....	.....	.....	2,500	75,000	12,000	.....	.....	46
2	30,000	1,765,309	279,830	3,983,575	1,826,115	8,565,379,394	14,769,042,207	47
.....	.....	.....	70,000	602,601	160,000	575,000,000	842,072,218	48
.....	.....	167,500	27,000	70,530	29,192	.....	.....	49
2	50,000	536,807	60,000	269,900	77,052	.....	.....	50
.....	.....	665,546	36,000	380,000	68,600	213,663,840	735,802,909	51
2	45,000	.....	20,000	450,000	150,000	.....	.....	52
.....	89,500	.....	500,000	500,000	65,000	2,307,934,371	5,946,969,466	53
.....	.....	.....	1,540,000	1,300,000	640,000	.....	.....	54
.....	2,169	.....	50,000	277,000	91,949	.....	.....	55

[c] Continuous.

[d] Mill tax and special appropriation.

TABLE 3.—*Other financial statistics of state universities*

	Name.	From the State for support.					From the State for building.		
		Mill tax.			Direct appropriation.		Mill tax.		
		Rate.	Term of years.	Total yield.	Term of years.	Total yield.	Rate.	Term of years.	Total yield.
		36	37	38	39	40	41	42	43
56	University of Oklahoma	.....	.....	.....	1	$100,451	.....	.....	.....
57	Oklahoma Agricultural and Mechanical College.	.....	.....	.....	.....	.....	.....	.....	.....
58	Oregon State Agricultural College	.....	.....	.....	.....	.....	.....	.....	.....
59	University of Oregon	.....	.....	.....	.....	.....	.....	.....	.....
60	Pennsylvania State College	.....	.....	.....	2	463,550	.....	.....	.....
61	Rhode Island College of Agriculture and Mechanic Arts.	.....	.....	.....	1	25,000	.....	.....	.....
62	South Carolina Military Institute	.....	.....	.....	.....	.....	.....	.....	.....
63	Clemson Agricultural College, South Carolina.	.....	.....	.....	.....	.....	.....	.....	.....
64	University of South Carolina	.....	.....	.....	.....	.....	.....	.....	.....
65	South Dakota Agricultural College	.....	.....	.....	.....	.....	.....	.....	.....
66	South Dakota State School of Mines	.....	.....	.....	.....	.....	.....	.....	.....
67	University of South Dakota	.....	.....	.....	.....	.....	.....	.....	.....
68	University of Tennessee	.....	.....	.....	2	50,000	.....	.....	.....
69	University of Texas	.....	.....	.....	.....	.....	.....	.....	.....
70	Agricultural and Mechanical College of Texas.	.....	.....	.....	.....	.....	.....	.....	.....
71	Agricultural College of Utah	.....	.....	.....	.....	.....	.....	.....	.....
72	University of Utah	.....	.....	.....	2	240,000	.....	.....	.....
73	University of Vermont and State Agricultural College.	.....	.....	.....	(a)	[b] 6,000	.....	.....	.....
74	Virginia Polytechnic Institute	.....	.....	.....	.....	.....	.....	.....	.....
75	University of Virginia	.....	.....	.....	2	76,667	.....	.....	.....
76	Virginia Military Institute	.....	.....	.....	.....	.....	.....	.....	.....
77	College of William and Mary, Virginia.	.....	.....	.....	.....	.....	.....	.....	.....
78	State College of Washington	.....	.....	.....	.....	.....	.....	.....	.....
79	University of Washington	.....	.....	.....	2	404,000	.....	.....	.....
80	West Virginia University	.....	.....	.....	.....	.....	.....	.....	.....
81	University of Wisconsin	3/8	(a)	[b]$644,657	(a)	[b] 43,000	.....	.....	.....
82	University of Wyoming	3/8	2	24,000	.....	.....	.....	.....	.....

[a] Continuous.

[b] Yield for 1907–8.

and other state-aided institutions of higher education—Continued.

From the State for building.		Total state aid to the institution since its foundation.	Estimated value of the property owned by the institution.			Valuation of all taxable property in the State.		
Direct appropriation.			Grounds.	Buildings.	Equipment.	Assessed valuation.	Estimated true valuation.	
Term of years.	Total amount.							
44	45	46	47	48	49	50	51	
1	$200,000	.....	$45,000	$85,000	$131,300	.....	$636,013,700	56
.....	.....	.....	207,500	40,000	135,241	.....	.....	57
.....	.....	.....	40,000	313,505	21,000	$581,000,000	852,053,232	58
.....	.....	.....	75,000	234,000	75,000	.....	.....	59
2	162,169	$2,129,227	56,000	1,349,499	150,000	.....	11,473,620,306	60
2	55,000	521,449	14,855	188,717	97,908	477,354,708	799,635,601	61
.....	.....	.....	.....	200,000	60,000	.....	585,853,222	62
.....	.....	.....	56,800	549,344	361,779	249,534,422	.....	63
.....	.....	.....	300,000	220,000	120,000	.....	.....	64
.....	.....	.....	65,000	285,000	94,150	.....	679,840,939	65
.....	.....	.....	15,000	81,000	96,000	.....	.....	66
.....	.....	.....	40,000	308,000	130,000	250,060,000	.....	67
2	50,000	135,000	285,475	281,912	178,301	.....	1,104,223,979	68
.....	.....	4,000,000	55,000	631,220	200,592	.....	2,836,322,003	69
.....	.....	1,511,592	55,000	600,000	187,850	2,169,584,363	.....	70
.....	.....	712,263	23,200	305,578	58,379	166,019,855	487,768,615	71
.....	.....	1,626,656	250,000	340,700	159,755	.....	.....	72
1	60,000	.....	38,000	940,000	217,618	.....	360,330,089	73
.....	.....	.....	61,200	476,600	110,000	.....	1,287,970,180	74
2	33,000	1,894,667	600,000	1,547,000	430,000	541,456,220	.....	75
.....	.....	.....	95,000	360,000	40,000	.....	.....	76
.....	.....	.....	50,000	125,000	35,000	.....	.....	77
.....	.....	.....	32,000	607,000	131,000	.....	1,051,671,432	78
2	600,000	3,132,000	600 000	935,000	289,745	748,593,542	.....	79
.....	.....	.....	400,000	536,000	286,000	.....	.....	80
5	200,000	8,473,603	1,500,000	2,676,500	826,079	2,256,300,000	2,838,678,239	81
.....	25,000	.....	100,000	255,000	175,000	.....	329,572,241	82

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STATISTICS OF STATE UNIVERSITIES AND OTHER INSTITUTIONS OF HIGHER EDUCATION PARTIALLY SUPPORTED BY THE STATE

FOR THE YEAR ENDED
JUNE 30, 1908

WASHINGTON
GOVERNMENT PRINTING OFFICE
1909

1906.

No. 1. The Education Bill of 1906 for England and Wales, as it passed the House of Commons. By Anna Tolman Smith, of the Bureau of Education. 2d edition, 1907. pp. 48.

No. 2. German views of American education, with particular reference to industrial development. Collated from the Reports of the Royal Prussian Industrial Commission of 1904. By William N. Hailmann, Professor of the History and Philosophy of Education, Chicago Normal School. 2d edition, 1907. pp. 55.

No. 3. State school systems: Legislation and judicial decisions relating to public education, October 1, 1904, to October 1, 1906. By Edward C. Elliott, Professor of Education in the University of Wisconsin. 2d edition, revised, 1907. pp. 156.

1907.

No. 1. The continuation school in the United States. By Arthur J. Jones, Fellow in Education, Teachers College, Columbia University. pp. 157.

No. 2. Agricultural education, including nature study and school gardens. By James Ralph Jewell, sometime Fellow of Clark University. 2d edition, revised, 1908. pp. 148.

No. 3. The auxiliary schools of Germany. Six lectures by B. Maennel, Rector of Mittelschule in Halle. Translated by Fletcher Bascom Dresslar, Associate Professor of the Science and Art of Teaching, University of California. pp. 137.

No. 4. The elimination of pupils from school. By Edward L. Thorndike, Professor of Educational Psychology, Teachers College, Columbia University. pp. 63.

1908.

No. 1. On the training of persons to teach agriculture in the public schools. By Liberty Hyde Bailey, Director of the New York State College of Agriculture, at Cornell University. pp. 53.

No. 2. List of publications of the Bureau of Education, 1867–1907. pp. 69.

No. 3. Bibliography of education for 1907. By James Ingersoll Wyer, jr., and Martha L. Phelps, of the New York State Library. pp. 65.

No. 4. Music education in the United States: Schools and departments of music. By Arthur L. Manchester, Director of the Department of Music of Converse College, Spartanburg, S. C. pp. 85.

No. 5. Education in Formosa. By Julean H. Arnold, American Consul at Tamsui, Formosa. pp. 70.

No. 6. The apprenticeship system in its relation to industrial education. By Carroll D. Wright, President of Clark College, Worcester, Mass. pp. 116.

No. 7. State school systems: Legislation and judicial decisions relating to public education, October 1, 1906, to October 1, 1908. By Edward C. Elliott, Professor of Education in the University of Wisconsin.

No. 8. Statistics of state universities and other institutions of higher education partially supported by the State, for the year ended June 30, 1908.

1909.

No. 1. Facilities for study and research in the offices of the U. S. Government at Washington. By Arthur Twining Hadley, President of Yale University.

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